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H – 678

International Court of Justice

H0678 – 0001

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Keitel #1
English

Notice.

Not to be publicized until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en session publique et seulement la partie reellement versee au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jener Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

H0678-0002

Keitel
No. 8 April 8

THE PROBLEM OF COORDINATION IN STATE AND ARMED FORCES
ACCORDING TO LAW AND JUSTICE

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1) Prefatory notice: A distinction must be made between direction and administration.

The State was politically directed by the Fuehrer with the Party (as the political embodiment of the will of the people); it was administered through the higher Reich authorities and Ministries.

The Armed Forces were directed by means of operative, tactical and to a limited extent also organisational orders: they were administered through the Ministry for War, after the dissolution of that, through the High Command as the common directing Ministerial authority of the extensively delegated self-administration of the branches of the Armed Forces.

For the State, the chief of the Reich Chancellery, for the Armed Forces, the chief of the High Command, was the comprehensive, centralized executive i.e. co-ordinating, office.

The High Command represented in an administrative sense the whole Armed Forces as supreme Reich authority and so belonged also in the circle of the Ministries and state machinery which were co-ordinated through the Chief of the Reich Chancellery. (with agreement of the Chief of the High Command as far as the Armed Forces were affected).

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II) For the State and the co-ordination of the highest Reich authorities, including the OKW (High Command of the Armed Forces), the Chief of the Reich Chancellery, Dr.Lammers, is the qualified representative for information concerning his experiences and the difficulties, with Cabinet Councillor, Dr.Ficker as his substitute.

He is particularly familiar with the duplication and the parallelism and confusion of the State machinery created by the special plenipotentiaries, Reich Commissioners and Government Chiefs in the Occupied Territories (General Government, Poland, Bohemia-Moravia, Alsace-Lorraine, Ministry for the East, etc.), which also involved the Armed Forces to a considerable extent. The last General Plenipotentiary for total war-mobilisation, Dr. Goebbels, and his over-lappings with the Ministries and Special Plenipotentiaries (Goering, Saukel, Speer, Pleiger, etc.), represents a particularly drastic example.

III) The OKW, which originated from the Armed Forces Office of the Minister of War as a small directing staff, had a quite similar fonction as the Reich Chancellery. OKW had only in very few fields, such as the Office of Armed Forces Operations, (Wehrmachtfuerungs-Amt), Office of Counter. Intelligence Abroad (Amt Ausland-Abwehr), Armament Economy Office, Prisoner of War matters, also certain professional, central tasks as their own fields of activity, which were used by the 3 branches of the Armed Forces. In all other respects, the OKW, on the contrary, relied on the technical activity of the various parts of the Armed Forces, which had the properly trained and completely staffed offices and departements. They were charged with directing the preparati

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of the draft of the decree or regulation and then the participation of the other branches of the Armed Forces was necessary before it could submitted to the OKW. Or the OKW charged also all the 3 branches of the Armed Forces to work out proposals, which were condensed after examination and comparison and which served as summary and guidance. If an agreement of the experts and offices could not be attained then I made a last attempt to bring about an accord, if that failed too, the Fuehrer had to decide.

Three factors influenced this work :

a) The Air-Force most of the time, invoked Goering, his ministerial powers, and thus refused appreciation and recognition of other view-points, and thereby also the principle that the Armed Forces were one unit, which could only live under uniform conditions and that no part of the Armed Forces could claim an individual existence for itself

b) The Navy invoked regularly special circumstances, becau the same conditions did not apply to it.

c) The Army, as the strongest branch of the Armed Forces, constantly wanted only its own views and conditions to prevail, and kept insisting that it had the widest and oldest experience.

Each branch of the Armed Forces tried then to secure a decision of the Fuehrer for itself, thus bypassing the OKW.

It cost me a great deal of trouble to induce the Fuehr to refrain from such spontaneous decisions and to demand first of all an examination by his OKW. Only when I succeed in putting this through, could an impartial rule, advantage to the whole, be put through. It cost a great outlay of

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energy and struggle to induce the Fuehrer and the various branches of the Armed Forces to adopt this method of workin above party lines. Sheer powerlessness in many cases -witho the help of the OKW- and the exigency of the war, with it's increasing lack, in personnel and materiel, was the first decisive factor, which finally led to the appeal to the OKW "Please, intervene!". I filled the offices of the OKW more and more with departmental chiefs and experts from all the three branches of the Armed Forces; this proved to be advantageous since proof was given of non-partisanship and each branch of the Armed Forces believed that it's interest were safe-guarded as much as possible.

In spite of the fact that the Fuehrer recognized that this method of co-ordination and exhaustive examination regardir the best solution for all three branches of the Armed Force was the necessary and right one, it was never possible to prevent his spontaneous interference by special decisions and personal directives, in which unfortunately, he often used the services of his military adjutants, without my learning about it, so that I could stop it. He recognized absolutely no official, bureaucratic efforts, without which however, a great organization cannot be directed in a just and non-partisan manner. He had no regard for the principle of "competence", nor for the legally founded departmental work. His principle was the recognition of the most useful effort toward the aim which he was pursuing at that time, according to the rule :" The stronger will must force it's way through". This cannot be achieved by a machine of bureaucratized officials, at least, not in abnormal times

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And, so reasoned Hitler, find myself a man with will-power, who ruthlessly forces his way through, appoint him as special plenipotentiary, permit him to use the trained machine of officials and the Ministries, with the condition, however, that he brushes aside all those so-called legal considerations and scruples, and that he acts without preoccupation, independently and energetically.

Success alone, not justice is the decisive factor.

IV) This shows the conditions, often bordering directly on anarchy, which took more and more serious form in the civil sphere ever since 1938 (elimination of the Reich cabinet). They increased since the start of the Easter campaign of 194 at the same rate as the military situation grew worse.

The Armed Forces did not remain untouched by it. Impulsive decisions of the moment eliminated right and lawfulness to an increasing degree. The sub-conscious thought, that he could not master the continually worsening situation with normal means, led to conditions, which removed the Fuehrer' last scruples.

Behind all this stood the anonymous driving force of the Party; Goebbels, Himmler, Bormann. Only this can explai how the Armed Forces, ever since the realization, that only a victorious war against Russia could prevent an evil end, was dragged into committing measures in violation of international law, and thereby made themselves accomplices.

V) The source of all the trouble, however, lay in the following three circumstances :

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1.) The invincible distrust, which was not eliminated even up to the last, of many leading personalities (high officials and officers) of the Monarchies and Republican past, who had not fought for the National-Socialist revolution.

2.) The fact that the Party had hardly yet produced in that short time enough prominent personalities as leaders for state affairs or the Armed Forces, in whom only Hitler though he could blindly trust.

3.) Hitler, therefore, lived under the impression that he alone could and must unite all the powers in the State and the Armed Forces in his person. (Dictatorship instead of cabinet).

He could not eliminate this dissension in his soul, and solve it as a true dictator would have had to do:

either to grant full confidence and use the profession trained Leaders Corps (Fuehrerkorps), but then without any reservation or to remove immediately the existing leadership machinery (Fuehrerapparat).

If Hitler had had confidence in even only a limited circle, whose advise he would have trusted ... and followed, his genius would not have had to leave the path of Law and Righ As it was, he gave in to evil spirits like Bormann, Goebbel Himmler, who remained his intimate friends up to the end, after Hess was in England and Goering finally fell into disfavor.

I dare say, that Hitler did not listen to us soldiers and our ideas because in the bottom of his heart, he did not trust us, because he saw in us the other world and only

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"bourgeois" contemporaries.

Intolerance and distrust caused the Genius to become isolate and become an uncompromising dictator. The decisive turn towards arbitrary actions from methods which were not justified by war conditions, begins in the year 1942, when the war became a "Go-Bang" game of to be or not to be; this is becoming clearly obvious through the trial. The ideologic theory alone did not justify the method used, at least not in advance!

Here the OKW had to follow the compulsion of its Commander in Chief.

VI) If I go back to the point of origin, the turning-point of our (OKW) and my own personal prestige lies in the army (navy and air-force are to be eliminated), and also partly in the OKW itself which remained aloof from the influences to which I was exposed day and night. The only person who can explain that development is my Chief of Central Bureau, Lieutenant General Winter; being in close touch with the army personnel office in Berlin, he could follow the course of events.

Certain it is that those sentiments against me were only created by the subsequent knowledge of the high Officers of the Army, while the question of complicity in guilt is agitating minds today. Men like v.Rundstedt, v.Kluge, Kesselring, v.Weichs, Schoerner and others have always maintained their friendship with me and tried to understand me. But all those who fell into disfavor, were relieved, and who, with some justice, felt themselves treated unjustly, became my enemis, because in their opinion

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I did not plead for them sufficiently. This I can understand very well, but it would only be justified if they knew my proposals for personnel. I never won the real confidence of the Fuehrer, that is a confidence based on a human understanding and I lost the confidence of the Generals. Field-Marshal v.Brauchitsch did not fare any differently; his wounds have apparently been healed by time. The death of General Schmundt, the Fuehrer's Adjutant-Chief, destroyed the last bridge between me and the Generals of the army. My activity in connection with the attempt of 20 July 1944, together with v.Rundstedt, made me even more unpopular.

I hereby affirm on oath :
that I answered the question about "The Problem of coordination in State and Armed Forces according to Law and Justice" which was submitted to me by Dr Otto Nette, defense counsel of the defendant Ex-Field Marshal, Wilhelm Keitel, to the best of my knowledge and conscience.

I am informed that this document will be submitted as an affidavit to the International Military Tribunal in Nurnberg. I am aware that the giving of a false statement under oath, intentionally or by negligence, is severely punishable.

Nurnberg, 8 March 1946
s./ W. Keitel

I, John B.ROBINSON, Civ. X 046350 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translat of the original document.

John B. ROBINSON
Civ., X 046350

Keitel #9 11/1 April 8

High Command of the Armed Forces and General Staff.

While the "Soldiers" welcomed Hitler and his movement - although not without reservation - , a movement, soon arose among the old General Staff Officers the importance of which had not been recognised before. The Generals of 1933 were the young General Staff Officers of 1918. It is quite understandable, that these officers attempted to re-establish the "Great General Staff" of the old Army. The Great General Staff was the absolut ruler of the Army, the General Staff Officers were looked on as the pick of the best officers of the army, they constituted an enclosed corps of selected officers, qualified for leadership, with a pronounced "Esprit de Corps". This "Great General Staff" was really an organization of the greatest importance and had a decisive influence on all Foreign Political Affairs which might possibly have to be settled by means of military force, and therefore also on the preparation as well as the planning of armed conflicts.

Such an institution was incompatible with the national-socialist ideology; two claims for leadership met on the same, very important ground. There could not be any doubt that HITLER, even before he had taken over the immediate supreme command of the Armed Forces, had already thought of taking supreme command over the entire Armed Forces in the case of war. It was in accordance with the principle of the authoritative Leadership State, that the Head of the State should direct, that means command, the State Policy in the most important - even in all - branches. This principle penetrated all spheres and naturally formed a particularly favourable form of application in the military field. According to the national socialist ideology, it is, however, the "Fuehrer", who has to decide alone in a certain sphere. In the negative sense this means the rejection of all responsible co-operation of the "Fuehrer" with the "advisers" and dependence on them. The previously existing collective agencies (e.g. an executive committee consisting of several persons, or organic bodies, or boards) and even constitutional institutions like the Reichstag, were robbed of their responsible function. As far as they remained, they became either an ornament or an instrument. Therefore if the leadership principle was considered as a basic one, all attempts of the representatives of the

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General Staff to re-establish the General-Staff leadership and the General Staff routine in the Armed Forces were bound to meet HITLER's determined opposition and be wrecked by it.

A conflict of world-historic importance was fought out behind the scenes in an almost academic form, a conflict which ended with the victory of the Leadership Principle in the Armed Forces, without convincing the Generals of the General Staff. They kept silent and obeyed in the end, even though divided among themselves. They obeyed perhaps not so much because they were convinced by HITLER's thesis, but because of their traditional education in obedience and the realization, that further opposition would be result in inconceiveable damage to the Army.

The Generals were tranquilised until the end of 1941, because tremendous successes spoke for HITLER. But the old opposition started again as soon as reverses occurred. It is significant: None of the high General Staff officers stated at any time officially, that it was right, to bring the war to an end. The war for them was a question of method, not of principle, the General Staff, however was for them a question of principle.

Now it is strange to see that from the attitude of the generals to this principle an opposition arose, which was more than an real difference of opinion, it was a personal enmity which was barely concealed by the forms of usual social etiquette and soldierly order of precedence. This opposition was a real opposition of great importance.

The leadership principle in its innermost character is no national socialist invention, it is based on military necessities and has grown from them. This is shown especially in war, where discussions become impossible, when most rapid resolutions have to be made. The General Staff is necessary for the preliminary deliberations and planning it is not in principle called upon for decision and leadership.

The Great General Staff as an organ of leadership has to thank the monarchical system for its attitude. The monarchs were the born war-lords, in other words Commanders-in-Chief. As it constituted a grave danger, to make the fate of a people depend on chance, this institution

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of advisory Army commend originated, which in reality was the actual leadership of the Army. (see the Army-Commenders in the Franco-German war and in the 1st world war).

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The principle of the great General Staff as a leadership body is contrary to the primary principle that the supreme commander as commander-in-chief also commands. Therefore the leadership principle in the military field is also a return to an original principle, but in the political field it is the assumption of a military principle in spheres which are not suitable for the basic conditions of the principle.

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KEITEL and JODL advocated the leadership principle in the military field. They recognized that general staff work was necessary in peacetime in order to deal with preparations and plans for possible wars for defense, but that the general staff officer in time of war must only act as an assistant and expert for the commanders. It would be morally wrong if the supreme commander's outwardly apparent authority to command were only a phantom and not in accordance with actual leadership and responsibility.

It appears certain that the general staff officers of the old stamp in their propositions not only believed that they were acting as patriots but were apparently very worried lest the "former corporal of the World War" would take over the supreme command in case of war. But deep down- perhaps unconsciously and due to hereditary - was the wish to keep up a social prerogative of the class or to secure a new one.

KEITEL and JODL were also generals of the old school, they also came from the CLUSEWITZ-MOLTKE School, but they were of the opinion that nowadays it was not essential to preserve traditional conceptions and institutions, even though these had served well in the past, but rather that it was having the right system under the given circumstances which mattered. They themselves did not come into consideration as profitting by the system they supported for neither was commander or would become commander. KEITEL was certainly a tested general staff officer and organizer but no strategist; neither did he not want to be one, but only that which the decree of 4 February 38 laid down for him. JODL as Chief of the Supreme General Staff might even have had reasons to hold a contrary point of view.

I, CATHERINE BEDFORD, Brit. Civ., 110561, hereby certify that I am thoroughly conversant withthe English and German languages; and that the above is a true and correct translation of Document .

CATHERINE BEDFORD
Brit. Civ., 110561.

Keitel Ex. No. 10 Apd 4

TRANSLATION

W.Keitel 23 February 1946

Relations of various commands in the east (Barbarossa) and the exclusion of the Wehrmacht High Command (O.K.W.)

Before the beginning of the Russian campaign "Barbarossa" i.e, up to 21 June 1941 the Wehrmacht High Command (O.K.W.) h worked out the fundamental, general "instructions" and "directions" for the campaign against the USSR according to orders and directives by the Fuehrer; it presented them and after they were put in final shape through the Fuehrer, made them public. When combat began the henceforth authoritative leadership of the Commander in Chief of the Army (Ob.d.H.) began in the field of operations, population policy and war economy according to the directives that had been given. Exclusive right to command and executive power were concentra in the Commander in Chief (Ob.d.H.). There was no "dictatorial interference" on the part of the Wehrmacht High Command as th presentation of the prosecution (particularly the Russian) which often referred to the OKW seems to indicate. In case supplementary orders had to be given at the volition or by the interference of the Fuehrer, this was done by oral orders or by written confirmation of oral instructions already given to the Commander in Chief of the Army (Ob.d.H.) (OKH). The executive power was in his hands and he alone was authorized to give the necessary orders. The opportunity to do this was offered by the regular daily reports on the situation, for the purpose of which the Commander in Chief of the Army with the Chief of Staff appeared personally at the Fuehrer's at least every other day. Later the Chief of Staff came daily (often twice) to report since the Fuehrer himself was Commander in Chief of the Army (Ob.d.H.). In the East the Fuehrer was personally and directly in command with the Army Chief of Staff; the Wehrmacht High Command and Keitel personally were

P.2 completely excluded as far as the Russian theater of war was concerned. There were no direct orders by the Wehrmacht High Command to any offices subordinated to the Commander in Chief of the Army (Ob.d.H.) because only one could give orders to all the offices in the field of operations. If, therefore any documents have been presented in which military or non-militar offices refer to an order of the OKW, this can be due only to the fact that the Army High Command (OKH) in its executive orders issued upon higher instructions of the Fuehrer, referre to the OKW. Otherwise it is a case of confusing the Wehrmacht High Command (OKW) with the Army High Command (OKH). Moreover, the strict leadership of the Commander in Chief of the Army knew only a few offices to which he gave his orders directly; they were the Army groups (Heeresgruppen) and in regard to all non-operative questions (via the General Quartermaster) to th highest offices in command, that is, in the entire territory of operations the Army High Commands (Armee-Oberkommandos (AOK)) and the commanders in the army rear area. For purposes of total leadership a number of non-military organizations were subordinated to the Commander in Chief of the Army (Ob.d. like a task force with the right to put them under the comman of sub-commanders. The following may be named:

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P. 2 (cont.) A) Military Organizations:

1) Security Details (Abwehrkommandos) } under Army High
2) Propaganda Companies } Commands
3) Representatives of the Foreign Office (with Army High Commands and Army groups)
4) Economic organization "Oldenburg" (instructions on special subjects by Goering) (4-year Plan)
5) Technical formations and field economic details (Feld-wirtschaftskommandos) (Attached to the Army High Command (AOK'S and commanders in the army rear area)).
6) Special services (libraries, front theaters, movies)

B) Non-Military Organizations:

1) Organization Todt (OT) } Detailed to the Army High
2) Reich Labor Service (RAD) } Commands (AOK's) or command posts in the army rear area, which disposed of them as a task force.
3) Einsatzstab Rosenberg
4) Reich Railway Offices and Personnel (At the disposal of the Chiefs of transportation in the army rear area)

P.3 C) Not subordinated were:

1) The organizations of the Reichsfuehrer SS and Chief of t German Police, i.e., the "Einsatzgruppen" and "Kommandos (Gestapo and SD) and the"special details" ("Sonderkom-mandos") in the prisoner of war camps (Orders directly from Himmler, or Heyderich (confirmed by witness Ohlendo
2) The civilian administration in the Reich Commissariats
3) Transport Regiment "Speer"(motor transport columns) (Kraftwagen-Kolonnen)
4) Sauckel's special delegates in the zone of operations.

Without maintaining that this enumeration is exhaustive, it proves that state and Party organizations were everywhere articulated within the structure.

The military organizations mentioned under A did not caus any difficulties to the command offices disposing of them, ever though, in technical respects, they were given certain instruc-tions, experiences and material means of assistence by the High Command of the Armed Forces (OKW) (A 1,2,6) for their benefit.

The organizations under B 1 and 2 were placed at the dis-posal of the Army by personal and direct special orders of the Fuehrer to the heads of these organizations with instructions to arrange for their employment with the Army High Command (OKH). They received from the OKH their commissions for work i the zone of operations and their distribution to the command posts of the Army but maintained their independence in interna service matters (pay, rations, disciplinary procedure, etc.) i regard to which they were under their central offices. As worl of thanks as their auxiliary services were, the Army High Com (OKH) or the organizations in whose territory they were emplo made use of their services reluctantly and only because the Fuehrer demanded it and a refusal was out of the question. The reason was that they maintained a second official channel to their central offices (Organization Todt, Reich Labor Leader) and turned to them in all matters disagreeable to themselves. But these central offices recognized decisions of military commanders only if they came from the Fuehrer personally, who was the sole common superior and to whom alone they were obedient.

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This situation led to manifold friction and difficulty, and in most cases to demands on the OKW Chief, by both sides (Army High Command - German Labor Service or Todt Organization) (OKH - RAD or OT) insofar as these central offices of the organizations did not get direct decision from the Fuehrer (via the Party Chancellery of Bormann). In these cases, the Fuehrer usually commissioned Keitel to transmit his decisions to both offices.

Frictions with the Reichsbahn (B 4) in all cases, as far as I know, were settled directly by the Wehrmacht Transportation Chief.

Orders to Rosenberg's Detail Staff ("Einsatzstab Rosenberg") went through most varied channels: Chief of the Reich Chancellery, Chief of the Party Chancellery, Goering. When it was a question of protests or contradictions of military agencies, the Chief of the OKW was commissioned to relay to them the orders of the Fuehrer.

Thus, although the OKW had no agency to handle or consult with the organizations under B, nor had any kind of direct contact with their employment or assignments within the scope of the Army, there were frequent instances when the Chief of the OKW was called upon as an involuntary mediator.

The organizations under C led a fully independent life in the operational territory of the Army, or in the Reich Commissariats; they were assigned to the military offices, only for rations and quarters.

The direct superior of C 1 was only Himmler by himself Assignments, orders and their execution were withheld from the military offices, with the indication "Fuehrer order."

The Chief of the OKW was also strictly excluded from communication with these offices.

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Exceptions were:

2 under C — The orders and plans in the bandit war to the Wehrmacht Commanding Officer (participation of the Wehrmacht Operational Staff and the Army High Command).

3 under C — Auxiliary services for the Army through the motor transport column "Speer" in cases of emergency (Cooperation with the Army High Command).

The channel for the Fuehrer's orders to C 2 was by way of the Chief of the Reich Chancellery, Dr. Lammers, in so far as the Fuehrer did not personally give any verbal orders, to Rosenberg or the Reich Commissioners themselves. Contac between the Fuehrer and the Reichsfuehrer SS took place directly with no third party present; in other cases via Bormann, the Chief of the Party Chancellery. Bormann was almost invariably the bearer of all complaints against Army offices on the part of the organizations under B - except the Reichsbahn. Bormann made it a principle to appl to the Fuehrer personally without informing the Chief of t OKW.

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(cont.) All in all, the above description presents a picture of the circumstances which, in spite of--or precisely because of--a common universal supreme commander in the person of Hitler, led in actual fact to the unbearable conditions of duplication and contradiction described under the watchword "Fuehrer order". Each one laid claim to an alleged Fuehrer order or a Fuehrer authorization.

When there were differences, disagreements, arbitrary and insubordinate actions, however, it was the Chief of the OKW, as mediator or as arbitrator or as the ever accessible mouthpiece of the Fuehrer who had to transmit the latter's final decision although he usually had absolutely no authority of his own to decide these questions, and by the very nature of the case, could have no such authority.

I herewith affirm in lieu of oath:

that I have answered truthfully and to the best of my knowledge and conscience the question submitted to me by the defense counsel of the defendant Field Marshal Wilhelm Keitel, retired, concerning subject "The division of authority (Befehlsverhaeltnisse) in the East (Barbarossa) and the exclusion of the OKW." I know that this document is to be submitted to the International Military Tribunal in Nuernberg as an affidavit. I have been informed that intentional or careless deposition of an incorrect affirmation in lieu of oath is subject to severe penalty.

Nuernberg, 14 March 1946.

(Signed: W. Keitel)

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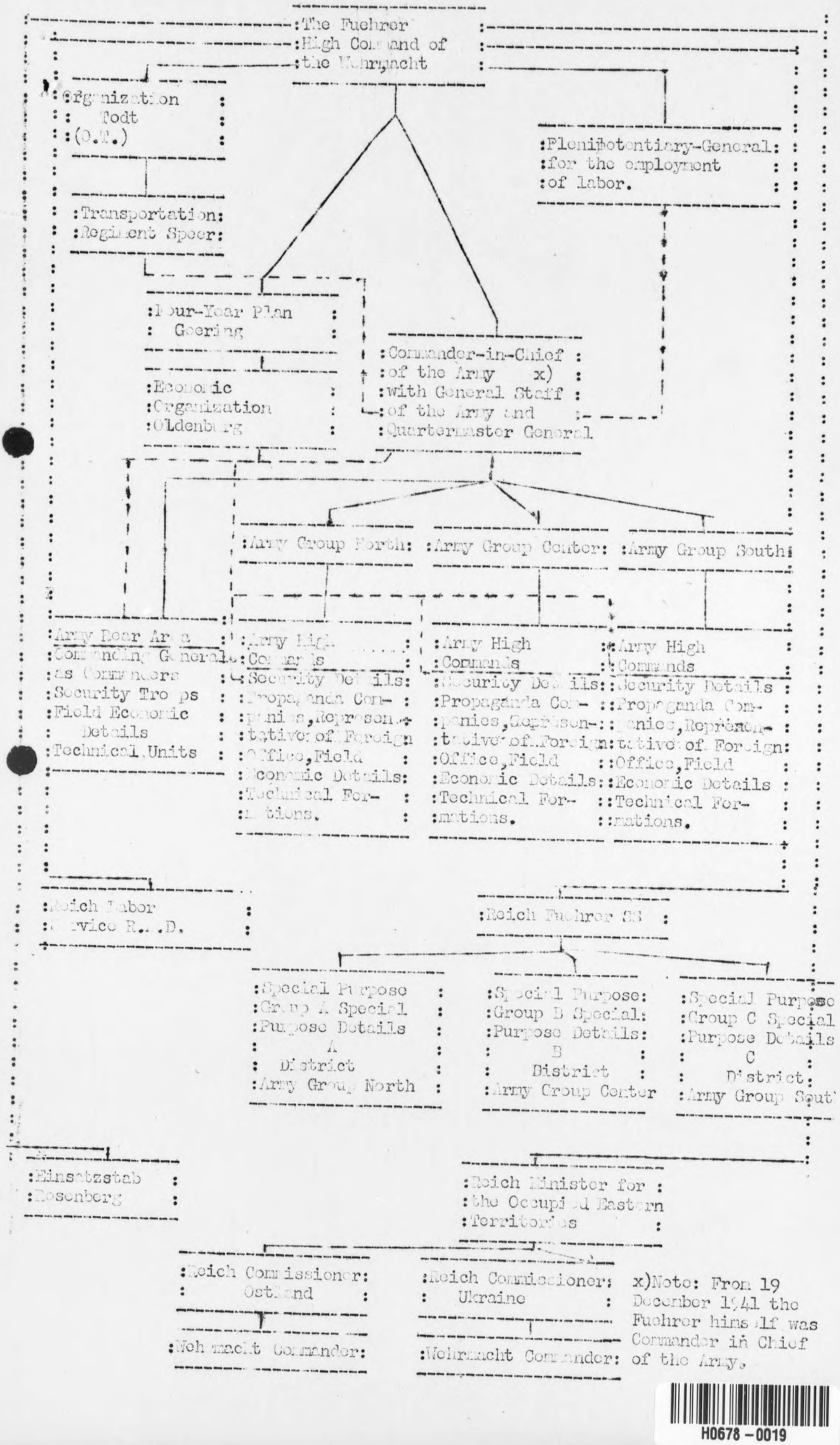

x)Note: From 19 December 1941 the Fuehrer himself was Commander in Chief of the Army.

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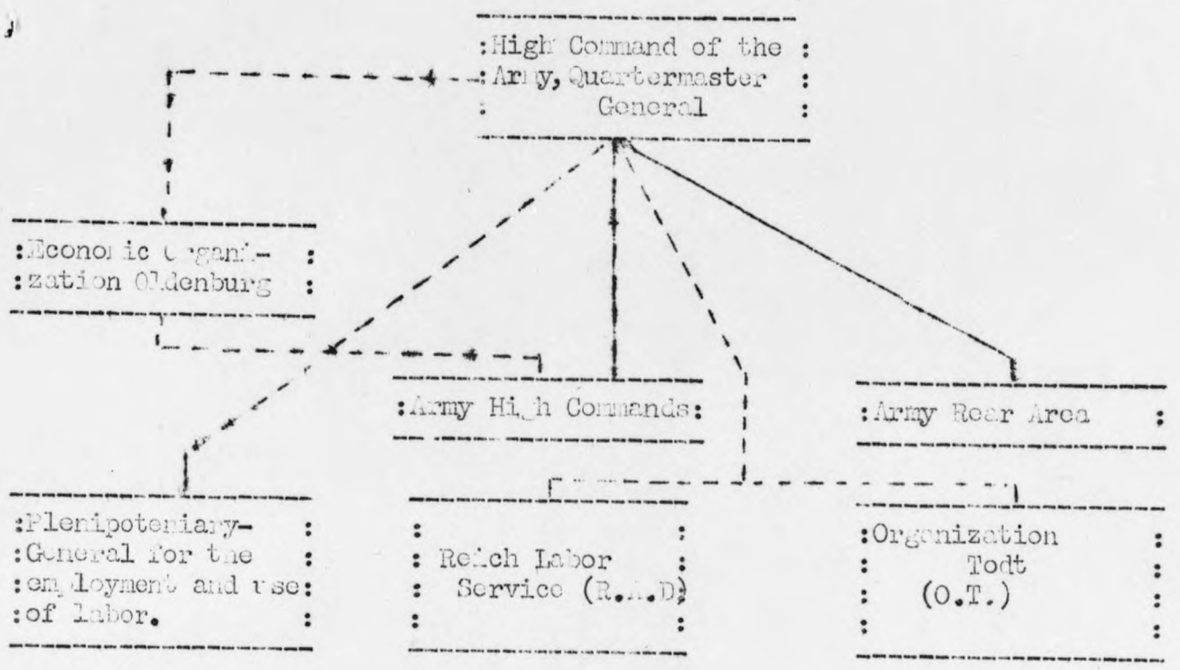
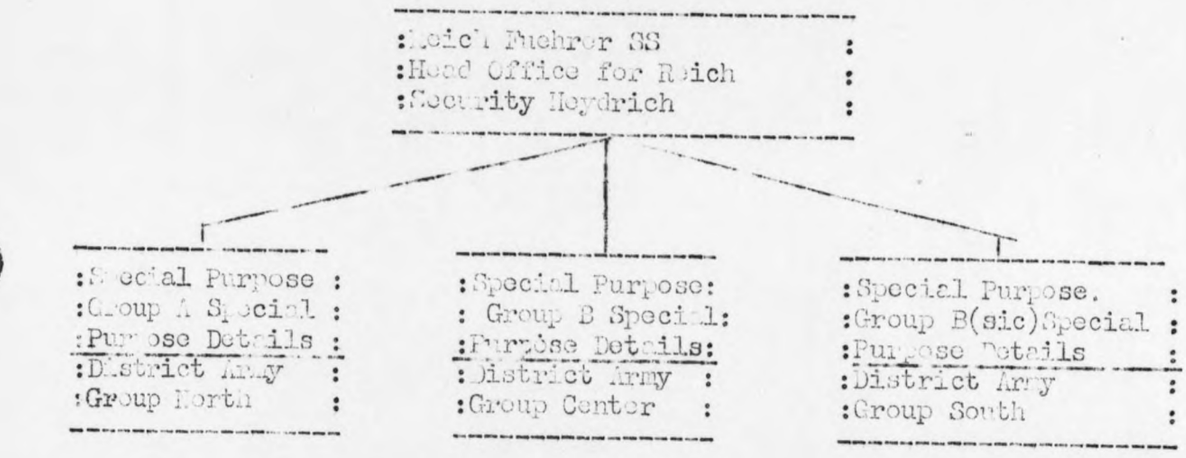
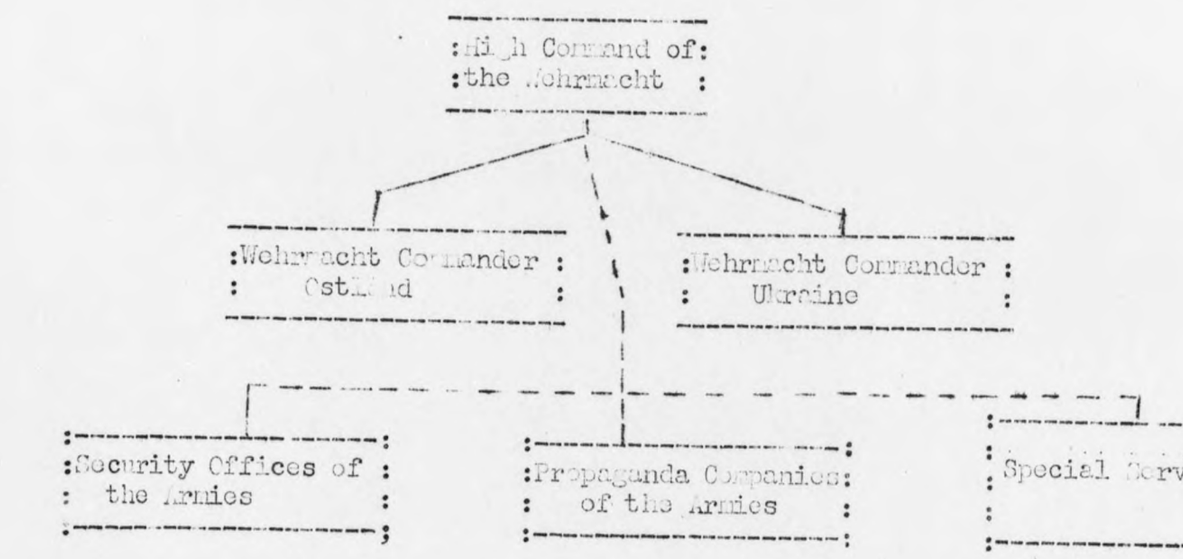

High Command of the Army, Quartermaster General
Economic Organization Oldenburg
Army High Commands
Army Rear Area
Plenipotentiary-General for the employment and use of labor.
Reich Labor Service (R.A.D.)
Organization Todt (O.T.)


Reich Fuehrer SS Head Office for Reich Security Heydrich
Special Purpose Group A Special Purpose Details
District Army Group North
Special Purpose Group B Special Purpose Details
District Army Group Center
Special Purpose. Group B(sic) Special Purpose Details
District Army Group South


High Command of the Wehrmacht
Wehrmacht Commander Ostland
Wehrmacht Commander Ukraine
Security Offices of the Armies
Propaganda Companies of the Armies
Special Service

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I, Wanda S. Tieszen X 046 265, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation.

19 March 1946

Wanda S. Tieszen
X 046 265

W. KEITEL

4 March 1946

Nr. 11 April 5

The Economic Armament Office

in the Supreme Command of the Wehrmacht.

(DAS WI. RUE. AMT IM OKW.)

1.) When, on 1 October 1935, I took over the position of the Chief of the Wehrmacht Office (WEHRMACHT) with VON BLOMBERG I found a war economic department under Colonel THOMAS who had been the Chief of the Staff with the Army Ordnance Branch (HEERESWAFFENAMT) before that. V.BLOMBERG had sent for THOMAS in 1934/35, in order to have a technically trained adviser at his disposal for the restarting of rearmament, and as liaison with the Ministry of Economics and the appointed economic organizations (Reich Union of the German Industrial Organization) as well as with the branches of the Wehrmacht (Ordnance-Branches) (WAFFENAEMTER).

2.) This "War Economy Department" - "later War Economy Staff" - as a ministerial office was the organ of the Reich War Minister which had to represent his interests at the authoritative and responsible Economy Offices, later also with the Plenipotentiary for Economy, created in 1935. Even when I already was the Chief of the Wehrmacht Office, the War Minister, as a rule, still communicated with THOMAS direct! For the ministerial work in the sphere of war economy the question was the recuperation of the former - but dismantled armament industry and its reorganization and utilization for rearmament itself. Thus they were merely ministerial functions, for communication with the competent offices, which the Wehrmacht and its Supreme Commander had to exercise.

3.) The rearmament itself, namely the armament programs, the supply of arms equipment etc. for the planning of equipped troops of all three branches of the Wehrmacht, lay solely in the hands of the three Supreme Commanders who placed their orders with the industry direct through their Ordnance Branches. As long as these orders were kept within the range of the capability and productive capacity of the firms, no friction or difficulties occurred (see 4b)

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4.) The main task of the War Economy Department was:

a) to ascertain the productive capacity of industries important for war (statistics) as well as their extension capacity.

b) to examine the parallel running orders of the branches of the Wehrmacht from the side of the possibility of their fulfilment, and to propose accordingly, to the war Minister a possibly necessary coordination and sequence.

c) to supervise the distribution of raw materials and to apply for raw materials from the Ministry for Economics.

For this purpose regional offices were created with the service command headquarters (WEHRKREISKOMMANDOS) in the definite form of "War Economic Inspectorates" ("WEHRWIRTSCHAFTSINSPEKTIONEN") who were the connicting link with the industries which were important for war economy and carried out tasks a) to c) in the sphere of the service command. The distribution of orders of the branches of the Wehrmacht, their equalization and the overlapping made it necessary that all three branches of the Wehrmacht were represented in these War Economic Inspectorates in order that proposals for equalization could be made to the offices of supply of the three Wehrmacht branches, in agreement with the firms, or to procure instructions for it from the War Minister.

5.) This purely statistical and coordinating work included no authority of any Rind to give orders; the War Economy Staff performed an advisory, ministerial office for the direction of the Wehrmacht in its intercourse with economy.

These conditions also remained unchanged under the Chief of the Supreme Command of the Wehrmacht (CHEF O.K.W.) after 4 February 1938. They only placed the right to issue orders, when intervention was necessary in the direct communication of the Wehrmacht branches with industry, on the Fuhrer himself, because the Chief of the Supreme Command of the Wehrmacht could not give orders to the branches of the Wehrmacht. The Wehrmacht's branches' own responsibility for their armament supplies remained unchanged by this.

6.) An extension of the tasks of the Wehrmacht Economic Staff (THOMAS) took place from 1936/37 for after the creation of the Plenipotentiary for Economy (G.B.W.), an office was needed which, in case of mobilisation, - i.e.

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beyond the current production program - could ascertain statistically the production potential of industries important for war and the necessaries of life and were suitable for armament purposes; an office which would not only ascertain the highest possible potential in case of war, but would also prepare them for it theoretically.

This paper worth, under the leadership of THOMAS, was again done by the Wehrmacht Economic Inspectorates which in 1937 received the name: "Armament Inspectorates" ("RUESTUNGS-INSPEKTIONEN").

The outcome was "Mobilization Plan Armament" ("MOBILMACHUNGSPLAN RUESTUNG") which registered the industries which were to be changed over to the production of armaments in case of war, when the Supreme Commander of the Wehrmacht would order the change from peace time economy to war time economy, and which also decided which articles for which Branch of the Wehrmacht the firm should then produce. In this respect there was close cooperation with the Plenipotentiary for Economy.

This latter information was contained in the yearly production plan of the Wehrmacht (FERTIGUNGSPLAN WEHRMACHT) which had been drawn up by the branches of the Wehrmacht on the proposals of the Armament Inspectorates.

7.) To these three tasks:

a) coordination of the current peace time orders on the basis of the statistics on production capacity,

b) safeguarding and distribution, of raw materials,

c) preparatory work for the mobilization (mobilization plan and production plan (FERTIGUNGSPLAN) for the entire Wehrmacht),

a task was added in war which also was only of an advisory and statistical nature.

In the war against Poland and also later on in the West (further extended on the basis of the experiences in Polan), experts trained in war economy from the Wehrmacht Economy were assigned to the army groups and high commands of the armies in the form of small staffs and teams; as technical advisors and assistants in all questions of war economy which arose on the conquest and occupation of territories of economic and industrial value.

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8.) The Economic Armament Office, together with the Supreme Command of the Army, made organised preparations for the organization of these groups of experts and the technical teams.

In general, it consisted of:

a) technical advisers to the staffs of the troops (at first called Liaison Officers of the Supreme Command of the Wehrmacht/ Economic Armament Office),

b) reconnaissance staffs for industries and raw materials important for war economy,

c) technical teams and units for the safeguarding, repairing and protection against destruction of industries and maintenance installations important for war and daily life.

This organization was therefore prepared by the Supreme Command of the Wehrmacht (Economic Armament Office), because it depended on skilled personnel from all three branches of the Wehrmacht and the civilian economy as well as the "Technical Emergency Service." ("TECHNISCHE NOTHILFE"). The actual disposition and utilization was effected by the Army which alone had the means for it.

The organization was placed under the regimental commanding officers and formed a part of their troops. It was used exclusively at the orders of the high command of the troops, for which the technical advisers with the staffs of the troops submitted the suggestions in each case, (to the General Staff for Supply or Chief Quartermaster). (DEM GENERALSTAB Ib ODER OBERQUARTIERMEISTER).

The distinguishing mark of its character of non - combatant troops or "special unit" ("SONDEREINHEIT") is the explanation of its original connection with the Economic Armament office (Supreme Command of the Wehrmacht). The latter had certainly laid down the regulations for its puposes (ZWECKBESTIMMUNG), but had no influence whatsoever on its operations and the carrying out of the tasks in its operations, and had no channal or right to give orders.

9.) Tasks:

a) Advising the high command concerning the importance and significance of

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industrial concerns and supply industries (power, water, electricity, repair, shops, mines etc.)

b) Safeguarding these installations against destruction by enemy and own troops (e.g. Dismantling the most valuable parts, stripping).

c)Utilization for the purposes of own conduct of the war, own troops and for the population.

f) Reconnaissance of the industries important for war and daily life and obtaining information of their production capacity for own utilization.

g)Ascertaining the stocks of raw materials of metals, coal, ore, fuel etc. for the resumption of industry or for own utilization for the further conduct of the war.

With the exception of the tasks mentioned under f) and g) all other functions served only the maintenance of the fighting troops, the occupying troops, and the resident population.

10) The statistical enquiries f) and g) were reported by official army channels to the competent offices of the home country (Plenipotentiary for Economy, Four Year Plan, armament Minister) who had to arrange for profitable use to be made of them. The Wehrmacht itself had no independent right of seizure!

11) It is true that (according to "Book THOMAS" 2353-PS)(BUCH THOMAS" 2353-PS) raw materials and also machines for the production of war equiment were removed to Germany, as the prosecution states, since both served the enemy's prosecution of the war, and as they had to stop production.

12) A military office did not order the removal to Germany, because it had no right to dispose of "booty" of this kind. Only the Supreme Reich Authorities mentioned under No.10, and nobody else, can have caused the removal, by virtue of the Fuehrer's authorization or by reasons of a direct order by HITLER to the Supreme Commander of the Army. The Supreme Command of the Wehrmacht and the Chief of the Supreme Command of the Wehrmacht, also the Economic Armament Office, had no right to issue decrees and orders, outside their own sphere.

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To sum up therefore it can be stated:

1.) The "organization" for the seizure, the safekeeping and the protection of all economic goods discovered in conquered and occupied enemy terries was a creation of the Economic Armament Office in the Supreme Command of the Wehrmacht (Gen.THOMAS).

2.) The Chief of the Supreme Command of the Wehrmacht had obtained the Fuehrer's consent for the creation of this organization on the suggestion of General Thomas, and had effected the practical organization and rearmament through the Supreme Command of the Wehrmacht. (Specialist personnel was obtained through the Economic Armament Office from the three branches of the Wehrmacht and from civilian organization.)

3.) The organization was placed under the Supreme Command of the Army for duty and suitable purposes, and was assigned to the highest command authorities (such as police, anti-aircraft units of the Air Force, army units), under whose sole authority they came.

4.) An individual command channel of the Supreme Command of the Wehrmacht, Economic Armament Office to these commands etc. did not exist. The higher troop staffs had been informed of their purpose and gave the orders for their use according to the suggestions of the technical advisers.

5.) The channel for reports and instructions went by way of the troop staffs to the Quartermaster-General of the Supreme Command of the Army whose administration staff contained representatives of the highest Reich Authorities (food, economy, Four Year Plan, Armament Ministry) who reported to their departmental chiefs.

6.) The Supreme Command of the Wehrmacht and/or the Economic Armament Office had no authority or right to intervene in this hierarchy or to give it any orders.

7.) Orders from me as Chief fo the Supreme Command of the Wehrmacht concerning the utilization, employment or confiscation of economic goods have not been issued; this can be seen from Document 2353-PS.

8.) On the basis of the experiences gathered in the West and the intervention of Reich Marshal GOERING through his Plenipotentiary Powers by the Fuehrer, an organization, exceeding by far all previous organi-

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zations, was established for all economic matters for Russia.

9.) This organization was prepared for Reich Marshal GOERING by the Chief of the Economic Armament Office with State Secretary KOERNER (without the participation of the Supreme Commander of the Wehrmacht.)
The Chief of the Supreme Command of the Wehrmacht placed Gen.THOMAS at Reich Marshal GOERING disposal for this purpose. The Chief of the Supreme Command of the Wehrmacht obtain no influence/of any kind in this organization, and thereby excluded the Supreme Command of the Wehrmacht and himself. One person only could take over the responsibility for this task and its preparation, which by far exceeded the compass of the Supreme Command of the Wehrmacht Economic Armament Office. As neither the Supreme Command of the Wehrmacht nor the Army had been commissioned, but instead Reich Marshal GOERING had received General Plenipotentiary Powers, I purposely withheld the participation of the Supreme Command of the Wehrmacht and therefore as requested made General THOMAS, available.

10.)General THOMAS, therefore, in this case acted on the sole orders of Reich Marshal GOERING and within the limits of his authority as commissioner of Reich Marshal GOERING. I was neither held to GOERING's directives by the Fuehrer, nor did I and/or the Supreme Commend of the Wehrmacht come under his authority. I was not represented in GOERING's staff for direction of economy, and had nothing to do with the Eastern Economic Staff. (Wi.Stab Ost). (See page 386 Book THOMAS.)

I hereby certify upon oath that I have answered the question submitted to me by DR.DR.OTTO NELTE, the defense counsel of the defendant of Field Marshal , retired, WILHELM KEITEL, concerning the organization of the Economic Armament Office in the Supreme Command of the Wehrmacht, according to the best of my knowledge and conscience. I have been informed that this document is to be presented as affidavit to the International Military Tribunal in Nuernberg. It is known to me that the intentional and negligent giving of an incorrect statement under oath is punishable with heavy penalties.

Nuernberg, 8 March 1946

s/ W. KEITEL

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CERTIFICATE OF TRANSLATION
OF DOCUMENT

May 18 46

I, CATHERINE BEDFORD, Brit Civ., 110561, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the original Document

CATHERINE BEDFORD
Brit. Civ.,110561

April 4 Keitel Ex. No. 12

W. KEITEL

18 March 46.

The prosecution authorities especially the Soviet Russian prosecution has raised the accusation against the German Armed Forces and against the Supreme Command of the Armed Forces (OKW) that the crimes against humanity and the war crimes, presented as evidence, are traceable to orders for which, according to the prosecution, you also are being held responsible. Even if, according to your admission, a direct responsibility on your part is not to be assumed, it nevertheless appears necessary that you express your opinion about these accusations as a precaution.

I request therefore, that you state who is responsible for the development of the rightful consequences which appeared in connection with the conduct of the war.

After ADOLF HITLER took over the government in 1933, the SA and SS (the fighting organizations of the party) lost their original purpose.

They searched for new tasks which they considered to be the ideological and material militarization (Wehrhaftmachung) of the German people.

In the same ratio as the importance of the SA (by its failure) decreased, the SS was raised and extended to the policy-making, fighting and control organization because it had proved itself faithful and trustworthy, to the Fuehrer during the ROEHM putch. It was now systematically enlarged by HIMMLER in order to spread its influence gradually even more.

Thus the Reichsfuehrer SS and Chief of the German Police succeeded in penetrating into all functions of the state and its administration, with the exception of the Armed Forces as an Organization.

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The "SS Special Task Groups" (SS-Verfuegungstruppe), the later Waffen-SS which I do not want to discuss in any greater detail here, was founded in 1934 after the ROEHM Putch from Hitler's bodyguard, the Leibstandarte Adolf HITLER. Thus Hitler's promise to the Armed Forces

"There is only one armed force (Waffentraeger) in Germany, that is the Wehrmacht",

was abandoned although the (SS Verfuegungstruppe) characterized as follows: They are neither a part of the Armed Forces (Wehrmacht) nor of the Police!"

The doctrines HIMMLER implanted into his SS and Police as an organization were to reach a new, incaluculable sphere of action, once military complications begun.

A soldier could not foresee, indeed, not even imagine the effects this system would have in foreign territory, that is, in occupied territories conquered or annexed to the German sphere of power.

The effort to associate itself with the commencement or completion of military campaigns, or to obtain police powers in these areas, at least for the Gestapo (Sipo, SD) already became recognizable during the occupation of the Sudetenland and later the rest of the Czech territory (Spring 1939) and was presumable if not in a direct order to the army - tolerated by HITLER, if not actually encouraged. He knew only too well that he could not require that from the Army directly and therefore he refrained from issuing an order to vest the executive authority in Army - occupied territories in the command - functions of either the Gestapo or the Supreme Commander of the Army. Thus during the occupation of the Sudetenland the sole sovereign rights of the executive power of the Army High Command were successfully maintained, with the compromise that the Sudeten German Free Corps (HENLEIN) - into which HIMMLER had certainly already introduced his men - became subordinated to HIMMLER only after the completion of the occupation campaign and the transfer of the military executive power to the civilian authority. However, HENLEIN out of this immediately became a high SS officer. Through the immediate formation of Protectorate Government on the day after the Army units marched in, the participation of the police was circumvented; K.H. FRANK immediately became a high SS official and as such and also as a

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ministerial deputy (Staatssekretaer) he took over the police- power in the Protectorate.

Warned by these proceedings, the Army High Command, energetically supported by me with HITLER, had put through the following before the Polish war:

a.) in occupied Polish territories the executive power and its administration should be vested solely in the Army High Command

b.) the German - Polish border was closed to all official and private individuals and organizations Army military police and secret field police (Passes could be approved by the OKW only).

In spite of this, during the course of time members of the Police were able to penetrate into Poland in unknown ways, as later became known to the OKW certainly on HIMMLER's order, and possibly with HITLER'S tacit acquiescence. Further details are unknown to me. At any rate, acts of arrest by the police occured on the part of the Gestapo behind the Army front, which were not ordered by the OKW, or the Commander, so that complaints reached the Supreme Commander of the Army, as I learned at the time.

It is possible that this first occured at the time when the main part of the campaign was nearing its end. I know that General v. KUECHLER had a clash with HIMMLER on that score and that General BLASOWITZ directed a complaint to the Army High Command, even if at a later time only. Von BRAUCHITSCH opposed the increasing division of the executive authority between the Army and the Police. HIMMLER recognized the subordination, which - as far as I know - has then been assumed in regard to the Army High Command.

However, some time after the return from Poland around the middle of October, v. BRAUCHITSCH asked to be relieved from responsibility for the executive power. He then declared that he did not wish to hold responsibility for the Army in view of police measures taken, because the Army has been encumbered with dealings of which I did not approve and which were forcibly passed on to it.

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Although it has been my belief that maintaining the military administration offered the most protection to the population, I still energetically supported the request of the Commander in Chief of the Army to be relieved of the responsibility, because the Gestapo – in spite of its subordination to the military commander – carried out arbitrary acts that clearly originated with HIMMLER ar HEYDRICH. Thus, civil administration was established in the General Government of Poland in around the middle of October, that is, two to three weeks afer termination of the campaign.

I surely know that all commanders in Poland were grateful for having been relieved of co – responsibility.

Warned by these proceedings von BRAUCHITSCH insisted in 1940 that in the Western campaign no co – assignment or supplement of the Gestapo should take place in France, Belgium and in Holland. In this I vigorously supported him. HITLER recognized the Army's wish, inasmuch as the Army – controlled police forces and security units. One Field Police Chief was appointed to the staff of the Military Commander's administrative force for each of the military governments which the Army High Command set up in Paris and Brussels. HIMMLER's direct influence was thereby eliminate, but to be sure only outwardly and apparently; because connections with Berlin apparently still existed in the Reich Security Main Office (R.S.H.A.). As early as the winter of 1941–1942 HIMMLER urged the removal of this situation of his exclusion and tried, at the OKW Gen. Qu. to which the direction of the military government at the Army High Command had been assigned, to secure the appointment of one each higher SS and Police leader in France and Belgium. The OKW definitely refused. All of HIMMLER's efforts to win my support in this respect likewise failed.

In March or April 1942 HITLER, who in the meantime had himself become Commander in Chief of the Army, suddenly gave me the order to take command of General Qu? for which he would himself order the appointment of a higher SS and police leader. My remonstrances remained without effect.
As of 1 April or 1 May 1942, a higher SS and police leader for France was thereby created, who was subordinate to the military commander only with respect to his own person, while all technical orders were given by HIMMLER. The independant exercise of the executive power (executive with respect to the population) was thereby withdrawn from the military commander, except for t the cases of direct attacks on the Armed Forces proper.

That was the beginning of the excesses which have only now become known against the population, the Jewish persecution and the arbitrary application of the "Nacht- und - Nebel" decree on the part of the police, etc.

HIMMLER renounced Belgien, because the chief of the military government, REEDER, belonged to the General SS, Allgemeine SS he probably benived that he could gain influence ever him also in this way. Several days after the military occupation, Holland and Norway were given Reich-Commissioners as Supreme Administrative Chiefs with executive power and thereby also one higher SS and police leader each.

The preparations for the Eastern campaign in the winter of 41/42 was from the beginning under the influence of a racially and politically ideological war, in accordance with the principle: war against the active carriers of the communistic idea and against all the resistance in the country being followed out of an ideological and mortal enmity. Although HITLER, several times expressed this as his opinion as politician and statesman, none of us soldiers had at the time any idea that conditions could develop to such a point of degeneration as actually occured and that that could be his wish.. We knew his military abilities, his soldierly attitude and we had experienced his magnanimous and conciliatory manner at the conclusion of the armistice with France and during the period following it. All this would have appeared to be a complete contradiction to an attitude which could have foreseen, yes, and what is more, intended the war to take such a course.

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It was in March 1941 - before the Yugoslav coup d'etat when he spoke to the assembled generals for the first time for the attack on the Soviet Union, at that time still planned for the middle of May, 1941, (that was, 8 weeks earlier, in connection with the start of the strategic railroad concentration) about his conception of the ideologically conditioned war which deviated from the normal rules of warfare, and about his methods. Even then, before his last conference in the middle of June 1941, he had developed ideas, which showed the generals the harshness of the struggle, the dangers from the part of the population that was fanatically communistic, the overlordship of the commissars, and the partisan warfare which was to be expected, and furthermore prescribed the application of corresponding defense measures. The impression was the weightier and more lasting because he pointed out that he did not expect the understanding of the generals, but that they had to believe in his correct judgment of the conditions to come because only he - not the generals - understood the struggle led by him in Germany and the world enemy who had been made fanatical by this idea.

To none of the generals - of the few, entrusted with the war plans - did the thought then occur, nor could it have occurred, as with what methods this soldiers' war was to be accompanied. Not a word about extermination of the population or the Jews, of mass-executions or deportation to Concentration Camps was ever let fall. On the contrary, the economic development of the country, preservation and safeguarding of its harvest and the raw-material reserves were strongly emphasized. To no general did the thought ever occur that anything would be required from our soldiers, - except in cases of self-defense, when anything is permitted - that would injure the soldierly honor of the Armed Forces. No Genral then stepped forward and voiced his opposition or protest, even though the majority inwardly denied the necessity of this war, and had the most serious misgivings and anxiety. This was the situation especially when orders came for the the suppression of political agitators, agents, and commissars, for refusal to recognize this class of people as prisoners of war, transfer to the Gestapo, and furthermore at times suspending the right of court-martial for the population, and in part even for their own soldiers. These were very

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serious encroachments on the rules of warfare as hitherto known and practised. But they still would have been endurable perforce if the responsibility for the application of such means had remained entrusted to the commanding officers and commanders alone, that is, without giving authority at the same time to non-soldiers. None of the high-ranking commanders expressed refusal of the directive.

During this time, when written orders had to follow oral directives, serious disputes arose between myself and HITLER, especially when he demanded the inclusion of the Reichsfuehrer SS. The text of the [illegible] "Guiding Principles" for the "Barbarossa" order concerning the administration and development of the territories to be occupied led to sharp clashes because of the powers given the Reichsfuehrer SS. It was clear to me that here, alongside the Army and the Army High Command as the sole responsible and executive power over the population, – a Police-Executive branch had now been created whose powers (as HITLER admitted later on) gave me the strongest misgivings. My counter-proposals, supported by v. BRAUCHITSCH, were unsuccessful; the "Guiding Principles" which had been altered by HITLER personally, were given the context that he wished, although none of us could grasp the actual consequences. Only too well did my suspicions prove to have been right. By these plenary powers, HITLER had cleared the way for HIMMLER to become a factor in the direction of the war in the East, alongside the Armed Forces. The "legal basis" for this was that the Soviet Government had not ratified either the HAGUE Rules of Land-Warfare of 1907 or the GENEVA Convention and thus had knowingly and willingly exempted themselves from observance of the rules of international law, therefore we were exempted in the same manner.

Under their Chief, HIMMLER, the Police began the realization of their plans in the most unrestricted manner. It was self-delusion for the Armed Forces (OKH and OKW) to hide behind the text of orders, saying that HIMMLER acted in his "own capcity" and "separate responsibility". Both the Armed Forces and the Police had to take their orders from the same highest superior, HITLER, but in the long run this could not leave the Armed Forces undisturbed. At any rate, nobody foresaw or could foresee the forms and results which the empowering of HIMMLER would take on because of the veil with which HITLER himself also concealed this side of the

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conduct of the war from the Armed Forces, until the authorizations were followed by deeds and events were no longer hidden from many Commanders and Commanding Officers -, if not in their full extent, then at least as to their system-, whenever their command was affected. The monstrous character of these developments has not been changed by the fact that HITLER emphasized over and over again that he kept the Armed Forces apart from anything that in the eyes of the public or the world might bring upon them this stain of having waged war in a dishonorable way, against international law. The police was there for such jobs as that.

In summing up there must be established:

1. Alongside the Armed Forces as the legal protector of the Reich internally and externally (as in every nation), a peculiar, completely independent power-factor arose, and was sanctioned by law, which politically, biologically, and in police and administrational matters actually drew the powers of the State to itself.

2. Even at the beginning of military complications and conflicts the SS came to be the actual forerunner and standard bearer of a policy of conquest and power.

3. After commencement of the military campaigns the Reichsleader SS, hit upon the plan, by which, while concealed at first and very little to be seen outside, but from time to time making suitable appearances, he could in reality build up his power under the guise of "protecting" the annexed or occupied territories from political opponents.

4. From the occupation of the Sudeten Territory, beginning with the organizations of political unrest, that is of the so-called "Freedom no movements" and "incidents", the road leads straight through Poland and the Western areas, in a steep curve into the Russian territory.

5. With the "Outlines" to the "Barbarossa" plan for the administration and utilization of the conquered Eastern territories the Armed Forces were <u>against</u> their intention and <u>without</u> knowledge of the basic assumptions drawn further and further into the subsequent developments and activities.

6. I and my colleagues had no deeper insight into the <u>effects</u> of HIMMLER's full powers, and had no idea of the possible effects of these full powers.

I assume without further discussion that the same holds true for the OKH, which according to the order of the Fuehrer joined HIMMLER's units

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and gave orders to the subordinate army commanders.

7. In reality, it was not the Commander in Chief of the Army who had the executive power assigned to him and the power to decree law and maintain law in the occupied territories, but HIMMLER and HEYDERICH themselves of their own authority decided on the life or death of the people and prisoners, including PW's, in whose camps they represented the executive power.

8. The traditional training and concept of duty of the German Officer with regard to absolute obedience, with responsibility borne by his superior, led to an attitude, regrettable in retrospect, which in spite of his recognition of their lawlessness and his inward rejection of them, still shrank from a rebellion against these orders and methods.

9. The Fuehrer, HITLER, abused his authority and his fundamental No. 1 Order in an irresponsible way with respect to us. This No. 1 Order read, more or less:

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1). No one shall know about secret matters which do not / 0 belong within his own range of assignments.

2). No one shall learn more than he needs to fulfill the tasks assigned to him.

3). No one shall receive information earlier than is necessary for the performance of the duties assigned to him.

4). No one transmit orders which are to be kept to subordinate offices to any greater extent or any earlier than is unavoidable for the achievment of the purpose.

10). It is my conviction that if the entire consequences which arose from granting HIMMLER authority in the East had been known beforehand, in this case the leading generals would have been the first to raise an unequivocal protest against it. As these atrocities developed one out of the other, step by step and without any recognition in advance of the consequences, destiny took its tragic course, with its fateful consequences.

I hereby certify on oath that I have answered the above questions put to me by my counsel, Dr. Otto NELTE, according to my best knowledge and conscience. I have been informed that this document is to be presented to the International Military Tribunal in Nuernberg as an affidavit. I am aware that a false statement given under oath is severe punishable.

Nuernberg March 1946

[redacted] 1 Apr 46

I, JOHN B. ROBINSON, Civ., X-046350, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the original document.

JOHN B. ROBINSON

Civ., X-046360

April 5 No. 13

Development of the Situation in France 1940-1945

and the military authorities.

After the conclusion of the armistice there existed:

1.) a.) Occupied France (Northern France, together with Belgium, formed a single administrative area),

b.) unoccupied (Southern) France,

separated from each-other by the line of demarkation, and this enlarged by the "barrier zone" the Vichy government had no competence and no administrative rights.

c.) The regions to be relinquished: Alsace, Lorraine, and the ore basin Longvy-Briay, which were entirely incorporated into the area of the Reich and germanized.

2.) The French government of Marshal Petain, governing Vichy, was recognized, in order to have a French official administration as a partner, and to secure the execution, where the people were concerned, of the German demands in the occupied territory. The high repute of Marshal Petain was from the beginning intended to form the counter-weight to the exile government of the fugitive general De Gaulle. The government of Petain alone had complete governmental authority in unoccupied France. General v. Neubronn was sent to the French government in Vichy as the Representative of the German Wehrmacht, and the Marshal made extensive use of his services --particularly in the period up to the creation of an embassy in Paris -- for conveying wishes to the Supreme Commander of the troops in France, Field Marshal von Rundstedt, or also for forwarding to Hitler through the military commander. The carrying out of disarmament in accordance with the provisions of the armistice was supervised and inspected by control commissions, also in North Africa.

3.) German Offices in France:

a.)) the Supreme Commander of the German Troops in France with three Army High Commands and subordinate field troops, entitled Supreme Commander - West (Ob. West) as the purely military command agency of the Army ((O.K. .) from about 1 July 1941 under the Fuehere (Armed Forces High Command)(O.K...).

b.) The Military Commander -- Territorial Commander with subordinate military administration and the regionally located Superior Field - and Field Commands as representative of the occupying power with occupation (security) units (Divisions), also Counter-Intelligence- (Abwehrkommando) and Field Police (both departments of the Wehrmacht), which were entirely subordinated.

c.) The German police (Gestapo, etc.) completely subordinate to the Military Commander up to 1 April or 1 May 1942; then placed under command of Himmler (Fuehrer-decree).

d.) The Propaganda Department France, in Paris (attached to the Military Commander), but directed technically by the Chief of the Wehrmacht Propaganda Department

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of the Command Staff of the Armed Forces in the Armed Forces High Command (OKW), in cooperation with the Military Commander and the Embassy.

e.) The German Embassy in Paris (Abetz), attached to the Military Commander; technical right of direction only by the Foreign Minister!

f.) In Wiesbaden-- with small liaison bureau in Paris-- the German Armistice Commission, with French delegation. (see annex)

4.) Accordingly the Armed Forces High Command (OKW) had direct contact with:

a.) Armistice Commission (Wehrmacht arrangement for Army, Navy, Air Force),

b.) Intelligence Service (Office for Foreign Intelligence),

c.) Propaganda Department France (Economic Leadership Staff/Fr)

d.) Armament Inspectorate France (Economic Armament Office) (technical instructions emanated from the Four-Year-Plan).

5.) To the Army High Command (OKH) were subordinated:

a.) The Military Commander

b.) the Surpreme Commander West (up to 1 July 1941), (for the unburdening of the Army High Command for the East, later Armed Forces High Command (OKW),

c.) the German General in Vichy.

6.) To the Military Commander in France were:

a.) Subordinated: the German Police up to 1 May 1942,

b.) Attached: the German Embassy in Paris,

c.) attached: the Liaison Office of the Armistice Commission in Paris.

7.) In direct communication with the Military Commander were:

a.) the Commissioner for the Four-Year-Plan (V.J.Pl.), Goering,

b.) the Reich Minister for Armament and War Production, Speer,

c.) the General Plenipotentiary (Generalbevollmaechtigte) for the Commitment of Labor (since 1942), Sauckel.

All other Reich departments and the Foreign Office made use of channels through the Armed Forces High Command and Army High Command (Quartermaster General) (OKW/OKH)(Gen. Qu.).

8.) Whereas in the beginning only the Supreme Commander of the Army (O.d.H.) through his Military Commander, and the Armed Forces High Command (OKW) through the Armistice Commission exercised influence over the French government and/or administration, constantly more authorities infiltrated--not only authorized but directly authorized by the Fuehrer. Although they were actually referred to the Military Commander, who had to translate their requirements into commands, they went their own ways to a great extent. This was particularly true of Speer (7b) and Sauckel (7c(, who dealt with the French

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authorities directly with regard to their own, i.e. naturally materially important interests, and thereby afforded the french an opportunity to play one party against another and against the Military Commander. The Military Commander and with him the Army High Command cannot be made responsible for these conditions. Only one person, the direct superior of the Military Commander, who was the Fuehrer himself since December 1941, as Supreme Commander of the Army, could have eliminated these conflicts of authority; instead of this he promoted them by means of special authorizations.

9.) The internal conditions in France were characterized by:

a.) the counter-movement of the Government-in-exile (de Gaulle) against the Vichy-government retain-Laval,

b.) the policy of collaboration (Vichy), the policy of the Resistance Movement (de Gaulle) split tinto the armee secrete and the "Marquis-movement;" thereby the French people were split into two camps from the beginning;

c.) the strong flare-up of the Resistance Movement through sabotage, acts of terrorism, and underground movement, first in the big cities, and attacks upon the occupation forces (murders and acts of destruction), visibly since the commencement of the war against Russia and specifically under strong urging from the direction of England (de Gaulle).
These conditions were greatly favored by the considerable weakening of the occupation troops which set in at the outbreak of the Eastern campaign, which were in poor relationship to the size of the area and the requirements for protection of the most important military objects. This state of weakness led to counter measures which had to have an intimidating effect if acts of sabotage and terrorism were not to become too much for the occupation forces. The method of "hostages" and the "Nacht und Nebel" decree owe their origin to those threatening dangers alone. They were designed as a means of fighting the menacing spread of the resistance and underground movements in all parts of France and constituted the reaction to the increasingly harsh methods of fighting employed by the "patriots" of the country. As long as these defense measures (hostages - Nacht und Nebel) were applied only by the Military Commander and depended only on his decision, they did not overstep the limits of responsible restrained and firmly controlled administration. The Military Commander allowed himself to be so strongly influenced by the idea of collaboration that in the late Autumn or Winter of 41/42 he was summoned to the Fuehrer and was given instructions that he was to watch over the security and authority of the occupation forces only, without regard to political deliberations and considerations. He (the Fuehrer) would arrange the policy of collaboration with the Ambassador, but not with the toleration of the occupation forces.
At all events, the responsibility only remained in one of the Military Commander's sections in the executive, up to the Spring of 1942, that is as long as the German Police (Gestapo) were under the Military Commander. This situation

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was unfortunately changed by a Fuehrer's order on 1.4. or 1.5. of 1942 so that the senior SS and Police Leader as far as he was concerned certainly came under the Military Commander as the highest German Authority, but the technical police orders had to be given by Himmler, the Reichsfuehrer SS and Chief of the German Police. By that the Executive was detached from the Military Commander and removed from his responsibility. In this connection it must be noted that Himmler, already for some months with the Quartermaster-General of the Supreme Command as the superior office of the Military Commander, had looked on this regulation as being of no purpose. HIMMLER therefore tried to obtain my support for this plan; I refused it and hoped by that to ruin the plan. Unfortunately HIMMLER succeeded in getting the Fuehrer as head of the Army to take the matter in hand himself. He commanded the presentation of an order draught, in addition he appointed himself Quartermaster-General of the Army as the administrative office of the Supreme Command. In spite of all representative against it, which I energetically supported at the wish of the Quartermaster General, the Fuehrer commanded the presentation of the order on the transfer of the Police authority (executive) to the Reichsfuehrer SS, which came into force on 1.4. or 1.5.42.

Here in the proceedings, through the indictment on 5.2.46 I first learnt of the anti-Jewish actions in France which must have been introduced in May/42 and by the end of June practically have led to deportation. Only now has it become clear to me why HITLER on pressure by HIMMLER took away the Police authority from the Military Commander, for the latter must on no account have anything to do with the deportation of Jews. That corresponded to HITLER's conceptions and methods of keeping the Army and the military offices in every case out of such evil things so that they should not be blamed for them. He knew that the soldiers completely repudiated these measures, they would not compromise the Army's reputation in that way. To the extremely critical situation occurred that Wehrmacht (Army) and Police stood beside eachother and in many cases even against each other. That was very prejudicial to the fight and defense methods against sabotage, acts of terror, resistance and underground movement. This also explains why the Police made the "Nacht- und Nebel"-decree its own, without the authorization and without the knowledge of the Military Commander and used it against the stipulations, just as it went its own and disastrous way in the question of "hostages". Due to the unchecked activity of the Police in France directed by HIMMLER, both have today become a very heavy and hitherto unknown burden for the Wehrmacht (Military Commander and Supreme Command of the Wehrmacht) (Militaerbefehlshaber und OKW) which had worked on the basic directives of the Fuehrer in both cases.

10.) However, the devastating results only arose as the sequel to the aggravation of interior conditions in France which fall into three periods:

a.) From summer of 1942 with the beginning of the Eastern offensive (as already explained),

b.) Occupation of the unoccupied territories of Southern France after the landings of the Anglo-Americans in North Africa in November 1942,

c.) with the beginning of the invasion of the Anglo-Americans in Normandy after 6 June 1944.

Each of these actions resulted in the greatest unrest among the population in the country, strengthened the resistance movement and the acts of terror, under the strongest influence of DE GAULLE and on the part of the English. The consequences of the intensified counter-measures could not be avoided, especially as the SS-Police Regime gave itself increasing airs as a power factor of a political nature and repressed the influence of the Military Commander more and more ! So we came from seeking for reconciliation with the French people (collaboration), and from economic and political cooperation, to a Police government, to evacuation of workers (compulsory service), under the forced toleration of the French Vichy Government which thereby lost its last remaining respect.

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6

The following suffered least:

a.) French agriculture, which was helped with machines and fertilisers at a heavy cost to German supply,

b.) consumer goods, car and airplane industry, which certainly worked for German interests, but were strongly supported and supplied with huge orders (more than three milliards Reichsmark per year).

At first, raw materials and special machines were looted which, however, were again returned in the German's own special interest, in order to exploit the available labor in the mother country of France. In general, a healthy industry remained which was hardly damaged by air attacks.

But France soon forgot and probably construed as weakness the generous treatment received in the very first period of the collaboration (which took place by agreement, up to 1942, loss of North Africa due to the Anglo-American landings). Perhaps the treatment of dual control was from the beginning hardly suitable for obtaining a really loyal cooperation, because it was contradictory and inconsistent. Considering such a catastrophical defeat, the armistice treaty was very generous. I mention as examples:

a.) Immediate return of more than 3 - 4 millions of prisoners of war

b.) Allowing the entire navy, to remain as it was,

c.) Allowing all military airplanes to remain (under control and dismantled, with the exception of some fighter units on duty),

d.) Allowing the colonies in Africa and of the bulk of the colonial army in Africa to remain, even a partial reinforcement in West Africa,

e.) No extradition of war criminals,

f.) Conversion of the prisoner-of-war status into a free working condition, etc.

11.) The relations with France suffered very detrimental results through many offices of the Reich which tried to circumvent the Military Commander's sole power of decree, ot ot appeal to "higher orders" in opposition to it.

a.) Four Year Plan (GOERING),
b.) Ministry for Armament (SPEER),
c.) Administration for direction of Labor (Arbeitseinsatzverwaltung)(SAUCKEL),
d.) Police (SS),
e.) Minister of Communications,
f.) TODT Organization (O.T.) (Construction of coastal fortifications, construction of airfields).

Besides that the Foreign Office had connections with the French Government via the Embassy (Abetz), while the French Government on its side stated all complaints and wishes via the Armistice Commission and the Supreme Command of the Wehrmacht(OKW).

The Supreme Command of the Wehrmacht (OKW) had to undertake official inquires with all the various offices concerned for its answers to notes, as far as purely military questions were not concerned. Besides that there was the channel of PETAIN- General v. NEUBRONN (Vichy) - v.RUNDSTEDT (Commander-in-Chief of the West) (Ob.d.West). It is remarkable that the French notes to the Armistice Commission were presented as documents in many instances, but never the answers, which according to that do not seem to offer any possibilities for accusation.

As a convinced supporter of loyal cooperation with France, KEITEL had always insisted that each note should be dealt with immediately and that an answer

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should be given to the Armistice Commission.

The anarchy which the French prosecutor emphazised and the juxtaposition of the many German higher offices was recognized and made use of by the PETAIN - Government. The main promoter of this method was HITLER who continuosly issued special authorizations with which the authorized persons embarrassed the Military Commander.

12.) The Supreme Command of the Wehrmacht (OKW) bore the responsibility only for the areas as given on page 3/4. Since counter-intelligence (Abwehr), propaganda and armament inspection were under the jurisdiction of the Military Commander, communication only remained with:

a.) Armistice Commission (WA.St.KOM.),
b.) Commander-in-Chief West (Oberbefehlshaber West),
c.) Embassy Paris, though exclusively via the Foreign Office.

The Supreme Command of the Wehrmacht (OKW) dealt with protests of the Armistice Commission, but the Fuehrer made the necessary decisions in each case. Favorable decisions were made in many cases which concerned especially the military sphere, mainly too the discharge of prisoners of war of the colonial army in Africa, the armament there etc., and many and airforce questions.
Communications with the military commanders in France and Belgium, were only dealt with by the Quartermaster-General of the Army according to the orders of the Commander-in-Chief of the army (Ob.D.H.) (from December 1941 HITLER himself). At times, if ordered, the Wehrmacht Administration Staff (Wehrmachtsfuehrungsstab) took over occasional transmission of his orders to the Quartermaster General of the army.

I hereby certify upon oath
that I have communicated the above statement to my defense counsel, Dr. Dr.Otto NELTE, according to the best of my knowledge and conscience. I have been informed that this document is to be presented as affidavit to the International Military Tribunal in Nuernberg. It is known to me that the intentional or negligent giving of an incorrect statement under oath is punishable with heavy penalties.

Nuernberg, 9 March 1946.

s/ W. KEITEL
Field Marshal, ret'd.

I hereby certify upon oath:
that I have communicated the above statement to the defense counsel of the defendant Field Marshal, retired, Wilhelm KEITEL, Dr.Dr.Otto NELTE, according to the best of my knowledge and conscience. I have been informed that this document is to be presented as affidavit to the International Military Tribunal in Nuernberg. It is known to me that the intentional or negligent giving of an incorrect statement under oath is punishable with heavy penalties.

Nuernberg, 10 March 1946

s/ A. JODL

File
May 31, 1946.

SUPPLEMENTAL DOCUMENT FOR THE DEFENDANT WILHELM KEITEL.

Document K - 14

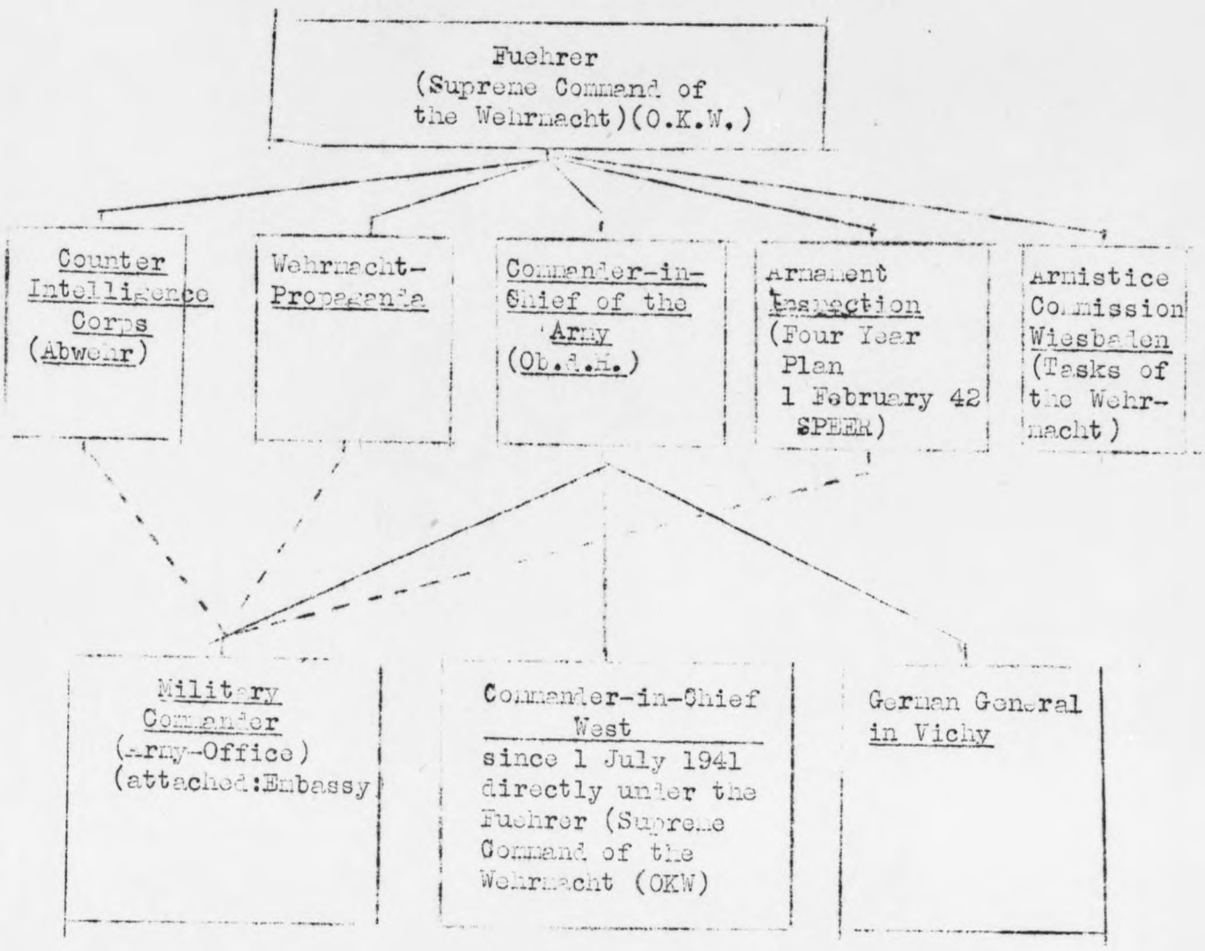
Falkenhorst for Keitel.

English

H0678 - 0046

H0678-0047

Appendix: to page 3, number 3.) f.)



CERTIFICATE OF TRANSLATION OF DOCUMENT

March 14, 1946

I, J.B.ROBINSON, X-046350, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the above Document.

J.B. ROBINSON
X-46350

H0678-0048

Notice.

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Ne pás publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

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H0678 - 0049

Document K 14

S u p p l e m e n t to the
Book of Documents

Defense Counsel: Dr.Otto N e l t e
Defendant: Wilhelm K e i t e l
Field Marshal, ret.

H0678-0050

Document K 14

MM/HSCH
(1824)
J.Lan./Rl

Synopsis of the interrogations
of General von Falkenhorst.

24 October 1945 (AM and PM)
25 October 1945 (AM) by Colonel AMEN

Note: Keitel also was a participant in the interrogation of 25 October.

3.) Cruelties against military men

a) Keitel's responsibility.

Falkenhorst states, that Hitler's order of 28 October 1942 (498 PS), to annihilate the Kommandos, caused him great moral concern. His consternation was still greater when he had to surrender a group of English Air Landing Troops to the SD for annihilation. (see 506 PS and 527 PS)
In his endeavor to justify himself, Falkenhorst stated, that when he received this order in October, he had called up Keitel on the phone and tried to lodge a protest regarding it, but had been cut off immediately by Keitel. In November, after British prisoners had been taken, but before their execution, he called Keitel again in the attempt to prevent the execution of the soldiers, which was demanded in this order.

He does not recall the conversation exactly. Accordi to his files (508 PS) he believes to have tried to keep th soldiers back for an interrogation by the military security ("Abwehr") in order to avoid their immediate transfer to th SD, and thus to prevent an immediate execution.

In any event Keitel told him with evident indignatio that in application of this order of Hitler the men had to be executed.

H0678-0051

Document K 14

Falkenhorst talks coarsely of Keitel, as "weak" and as an instrument in the hands of Hitler. He asserted, that the Armed Forces had **no** commander to protect them from the brutality of the Nazis. On 25 October 1945, when Falkenhorst was brought face to face with Keitel in cross-examination he was evasive in his replies and changed his former statements, but in the end he did not withdraw them. Keitel did not deny this conversation but disputed the topic of the conversation.

I, Dr.Karl NEUMANN,Br.Exp.F.Permit No.112293, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. [illegible].

29 May 1946

Dr.Karl NEUMANN
Br.Exp.F.Permit No.112293

H0678-0052

Keitel Exhibit No. 15

Ludwig KRIEGER
Oberregierungsrat
Born 16th.Feb.1887

A F F I D A V I T .

Page 1

By order of Hitler a "Stenographic Service at Fuehrer's Headquarters" was organized in September 1942. This office consisted of 8 Reichstag-stenographers, 2 office-workers and 7 typists. I was detailed to this service by the Reichstag-administration from February 1943 until April 1945.

Page 3

Hitlers relations to the former Field-Marshal Keitel were officially correct, Hitler on his part apparently trusting him in general, and esteeming him highly and respecting him as a zealous co-worker, Keitel on his side was frank and soldierly. Otherwise a friendly or confidential note was absolutely lacking. Except for official receptions etc. Keitel, as far as could be determind, hardly ever took meals with Hitler or participated in informal conversations with him. Also he was never seen to be called for inofficial discussions at which stenographers were not present.

In prep-aring decisions of formulating orders Keitel gave axp-ression to his opinions, even if they happened to differ, in an objective, calm manner as befits a soldier. He apperently knew from many years of collaboration with Hitler the possible limits of influencing his opinions, or decisions, or of changing his mind. For that reason he generally accepted Hitler's decisions as orders in a soldierly attitude. However, in individual cases he succeeded by emphatic

H0678-0053

reasoning in changing decisions, or, at least in delaying them in order to have them further examined.

Hitler, at times, did not seem to trust Keitel completely which can be gathered from one of his remarks made to his most intimate circle, one evening, shortly after the assassination attempt of June 20, 1944, when he said that now, i.e. after Keitel's behaviour immediately after the attempted assassination he believed, that Keitel was reliable and knew nothing about the circumstances and background of the plot.

I declare on my oath that the above statement is made to the best of knowledge and consience and that it represents the truth.

Dachau Camp,
War Crimes Branch
Administration,
31 March 1946

(signed) Ludwig Krüger
Oberregierungsrat
in the office of Stenography
of the Reichstag.

I, Dr.H .v.V. VEITH, AGO .o. D 150649, hereby certify that I am thoroughly conversant with the English and the German languages; and that the above is a true and correct translation of Document No.
5 April 1946

Dr. H.v.V. VEITH
AGO No D 15o 649.

COPY

Kertel Exhibit 16 File copy

H0678-0054

IN THE CITY OF LONDON, ENGLAND, on this fourteenth day of March One thousand nine hundred and forty-six, before me the undersigned FELIX WILLIAM GRAIN, Notary Public thereof, duly admitted and sworn, practising in the said City, and also a Commissioner to administer Oaths in the Supreme Court of Judicature in England, personally came and appeared GILES ROMILLY, of F.10, Sloane Avenue Mansions, Chelsea, in the County of London, England aforesaid, who having been by me first duly sworn in due form of law, to testify the truth, the whole truth and nothing but the truth, made oath and said that the answers made by him to each of the twelve Questions addressed to him as set out hereunder are true and correct:-

1. Question: Would you kindly state the pertinent data concerning your personal status?

   Answer: Age 29, British subject by birth, journalist.

2. Question: Is it correct that you are the nephew of the former Prime Minister Winston Churchill, or that you are otherwise related to him?

   Answer: Yes, nephew.

3. Question: Were you at Narvik at the time when the German troops arrived there on the 9th of April 1940?

   Answer: Yes.

4. Question: In what capacity were you at Narvik at that time?

   Answer: Daily Express War Reporter.

5. Question: What caused you to go to Narvik at that time?

   Answer: Instruction from the Daily Express.

6. Question: Were you there on an assignment?

   Answer: Yes

7. Question: If so, by shom?

   Answer: Daily Express

8. Question: Were you at Narvik on behalf of the press, anticipating any particular events?

H0678-0055

Answer: On behalf of the Daily Express, but not anticipating any particular events.

9. Question: What was the nature of the events which you anticipated?

Answer: See answer to question 8.

10. Question: Were you there because you expected that Britisch troops would arrive?

Answer: No.

11. Question: If the reply to 10 be in the affirmative: from whom or through what agency hat you learned that such an English undertaking was intended?

Answer: See answer to question 10.

12. Question: If the reply to 10 is negative: when and for what purpose had you come to Narvik?

Answer: I went to Narvik on April 5th 1940 following instructions from the Daily Express to report on the general situation there and also on any possible developments arising out of it, should there be any.

WHEREOF an Act being required I, the said Notary, have prepared these presents which I sign and seal to serve and avail when and where need may require and which, by way of further evidence, the said Giles Romilly has also signed in my presence at London aforesaid, the day, month and year first hereinabove written.

(Signed) GILES ROMILLY

(Signed) F.W. GRAIN

Notary Public,
London.
A Commissioner to administer
Oaths in the Supreme Court
of Judicature in England.

H0678-0056

Filed
10 April 1946
[illegible]

File Copy
English
K17

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H0678-0057

C O N F I D E N T I A L

United States Headquarters, BERLIN District
BERLIN, GERMANY

Deposition of ROTRAUD ROEMER

residing at BERLIN'DAHLEM Koenigin-Louisestr. 91

to be read in evidence before INTERNATIONAL MILITARY TRIBUNAL

appointed to meet at NUERNBERG, GERMANY

First interrogatory: How did you get knowlegdge of the order for the marking of Russian prisoners of war by branding?

Answer: I was secretary to the chief in charge of prisoners of war, Colonel BREYER, and I saw all orders coming into the office and discussed them with Colonel BREYER.

Second interrogatory: Do you know that this order was rescinded immediately after the defendant Field-Marshal Keitel received knowlegdge of it?

Answer: About eight days after the order was issued, it was revoked by General Reinecke. I do not know, when general Keitel was notified of the existing order.

(signed) ROTRAUD ROEMER

I certify that the above deposition was duly taken by me, and that the above-mentioned witness, having been first duly sworn by me, gave the foregoing answers to the several interrogatories, and that she prescribed the foregoing desposition in my presence at BERLIN (unleserlich) , this 30 day of March 1946

(signed) Paul M. (Unleserlich)
Major (unleserlich)
ASST STAFF JUDGE ADVOCATE

H0678-0058

I certify that the above-named officer is duly authorized to administer oaths

(Name) signed

Gregory L.HIGGINS

Lt Col, F. A.
Grade and organization

Asst Staff Judge Advocate
Official Title

CONFIDENTIAL

File
May 21, 1946.

K-19

SUPPLEMENTAL DOCUMENTS FOR THE DEFENDANT WILHELM KEITEL

INTERROGATORIES FROM: ADMIRAL RAEDER.
ADMIRAL DOENITZ.

English

H0678-0060

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H0678-0061

Questions put : to Gross Admiral Raeder (retired)by Dr.Nelte

Q.1: Are you acquainted with the decree of 4th February 1938 creating the High Command of the Armed Forces (OKW) and appointing Field Marshal Keitel Chief of the OKW?

A.: Yes

Q.2: Do you remember the diagram "Organization of the German Armed Forces"?

A.: Yes.

Q.3: Do you consider the graphic representation of the OKW to be correct?

A.: No.

Q.4: Why not?

A.: Because, according to the drawing, the OKW appears as an intermediate office between the Fuehrer, as Supreme Commander, on the one hand and on the other, the three branches of the Armed Forces.

Q.5: What was the actual relation?

A.: The OKW was the personal military staff of the Supreme Commander of the Armed Forces and not an independent office, not an independent authority.

Q.6: How would you describe the institution of the OKW from the military point of view?

A.: The OKW was the staff of the Supreme Commander of the Armed Forces. The Supreme Commander was Adolf Hitler. Field Marshal Keitel was Chief of Staff of the Supreme Commander, therefore, he himself was not commander.

H0678-0062

R-7

Q.7: Did Field Marshal Keitel have the power of command?

A.: As any Chief of Staff, he had the power of command over the staff itself, i.e., over his office and departmental chiefs.
In ministerial matters, for which the OKW was competent and which were transferred to the OKW from the former Ministry of War (RKM) the OKW had the authority to issue instructions. Matters of this kind were for instance; military legislation, Armed Forces reserves, defence, motor transport. It is of course, obvious that Field Marshal Keitel, as every other Chief of a Staff, could give orders and issue instructions, only on the basis of a general or special order by his Commander, Adolf Hitler.

Q.8: And if they were signed by Field Marshal Keitel?

A.: Then he did so "on the instructions" or "by order" of the Fuehrer, as the decree of 4 February 1938 states.

Q.9: What was the relation in rank?

A.: The rank of the General Field Marshal corresponds to the rank of Grand Admiral and within the same rank was below the commanders in Chief of the branches of the Armed Forces.

Q.10: Do you know whether the Fuehrer on the one hand and the Commanders in Chief of the branches of the Armed Forces on the other respected these relations in authority or whether the actual procedure was different

A.: The Fuehrer as well as the Commanders in Chief of the branches of the Armed Forces naturally attached great importance to it. They were not to accept any orders from Field Marshal Keitel as Chief of the OKW.

Q.11: Do you know what the official relations were between FM Keitel and the Fuehrer, I mean, do you know how the Fuehrer thought of these official relations, when he made FM Keitel Chief of the OKW and how they were maintained later on? Was FM Keitel to be what a Chief of the General Staff is in relation to his Commander?

H0678-0063

R-3

A.: In my opinion, no. The Fuehrer did not want FM Keitel to be his military adviser, such as a Chief of the General Staff is. Certainly FM Keitel was to give him information on military matters (with exception of strategy).

He was to see that the naturally extensive machinery, which the OKW comprised, worked in an orderly manner. He was, therefore, the Chief of a military office (Militaer-Kanzlei).

Q.12: Who was or who were the military advisers to the Fuehrer?

A.: In matters concerning the entire Wehrmacht, it was FM Keitel, except in strategic and operational questions. With regard to those, it was General Jodl. In matters concerning the individual branches of the Wehrmacht, whether of an operational or other nature, the main advisers to the Fuehrer were the Commanders in Chief of the branch of the Wehrmacht concerned. For the land-war in the East, it was the Chief of the Army General Staff.

Q.13: How is the extent of work of Field Marshal Keitel to be judged?

A.: The work was very extensive and difficult, especially during the war. It was also very thankless work because often it consisted in presenting complaints to Hitler and in ironing out difficulties which, according to experience, only seldom leads to the satisfaction of all concerned. Field Marshal Keitel was a tireless worker.

Q.14: Was he suited to his position?

A.: He was suited to his post, as Hitler throught.

Q.15: Do you believe that Field Marshal Keitel could have made his opinions felt?

A.: No. As a rule, Hitler insisted on his point of view with the greatest tenacity. If he once declared: "It is my irrevocable decision", any contradiction was impossible.

H0678-0064

R-4

Q.16: What could or should Field Marshal Keitel have done in order to make his opinions felt? In particular was there not the possibility of resigning from office?

A.: The Fuehrer often stressed the point of view that a General, just like every other soldier was not allowed to leave his post, He, Hitler, alone had to decide upon this.

Q.17: How do you explain the fact that Field Marshal Keitel could not prevent the issuing of many orders, which did not correspond to the generally prevailing opinion in the Wehrmacht?

A.: His position as Chief of Staff was too weak as against the Fuehrer. The orders mentioned almost exclusively concerned the Army. The Army, however, had no Commander in Chief who could prevail against the opinions of the Fuehrer, since the Fuehrer after 1941 was, himself, Commander in Chief of the Army. When he issued a directive with his threefold authority as Head of the State, Supreme Commander of the entire Wehrmacht and as Commander in Chief of the Army, by far the largest branch of the Armed Forces, then Field Marshal Keitel could only state his objections, but he had no power to prevail with his objections.

I assert in place of oath to have answered the above questions to the best of my knowledge and belief. I have been informed that this document is to be submitted as an affidavit to the International Military Tribunal at Nurnberg. I am aware that intentionally or unintentionally making an incorrect affidavit is a severe punishable offence.

Nuernberg 19 March 1946

signed: Erich Raeder.

I, Clare Boulter P.O., WRNS.No.59549 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No.

17 May 1946

H0678-0065

Questions to Gross Admiral Doenitz (retired).

Q.1: Are you acquainted with the decree of 4th February 1938creating the High Command of the Armed Forces (OKW) and appointing Field Marshal Keitel Chief of the OKW?

A.: Yes

Q.2: Do you remember the diagram "Organization of the German Armed Forces"?

A.: Yes.

Q.3: Do you consider the graphic representation of the OKW to be correct?

A.: No.

Q.4: Why not?

A.: Because, according to the drawing, the OKW appears as an intermediate office between the Fuehrer, as Supreme Commander, on the one hand and on the other, the three branches of the Armed Forces.

Q.5: What was the actual relation?

A.: The OKW was the personal military staff of the Supreme Commander of the Armed Forces and not an independent offic not an independent authority.

Q.6: How would you describe the institution of the OKW from the military point of view?

A.: The OKW was the staff of the Supreme Commander of the Armed Forces. The Supreme Commander was Adolf Hitler. Field Marshal Keitel was Chief of Staff of the Supreme Commander, therefore, he himself was not commander.

Q.7: What was the official relation to the Commanders in Chief of the branches of the Armed Forces?

A.: They were directly subordinate only to the Supreme Command of the Armed Forces, Hitler.

H0678-0066

D-2

Q.8: What was the relation in rank?

A.: As regards rank the Chief of the OKW was in principle below the Commanders in Chief of the branches of the Armed Forces.

Q.9: Did Field Marshal Keitel have the power of command?

A.: As any Chief of Staff, he had the power of command over the staff itself, i.e., over his office and departmental chiefs.
In ministerial matters, for which the OKW was competent and which were transferred to the OKW from the former Ministry of War (RKM) the OKW had the authority to issue instructions. Matters of this kind were for instance: military legislation, Armed Forces reserves, defence, motor transport. It is of course, obvious that Field Marshal Keitel, as every other Chief of a Staff, could give orders and issue instructions, only on the basis of a general or special order by his Commander, Adolf Hitler.

Q.10: And if they were signed by Field Marshal Keitel?

A.: Then he did so "on the instructions" or "by order" of the Fuehrer, as the decree of 4 February 1938 states.

Q.11: Do you know whether the Fuehrer on the one hand and the Commanders in Chief on the other respected these relations in authority or whether the actual procedure was different?

A.: The Fuehrer as well as the Commanders in Chief of the branches of the Armed Forces naturally attached great importance to it. They were not to accept any orders from Field Marshal Keitel as Chief of the OKW.

D - 2

Q. 12 : Do you know what the official relations were between FM Keitel and the Fuehrer, I mean, do you know how the Fuehrer thought of these official relations, when he made FM Keitel Chief of the OKW and how they were maintained later on ? Was FM Keitel to be what a Chief of the General Staff is in relation to his Commander ?

A.: In my opinion, no. The Fuehrer did not want FM Keitel to be his military adviser, such as a Chief of the General Staff is. Certainly FM Keitel was to give him information on military matters (with exception of strategy), likewise he was to gather information and, assemble particulars. He was to see that the naturally extensive machinery, which the OKW comprised, worked in an orderly manner. He was, therefore, the Chief of a military office (Militaer-Kanzlei).

Q. 13 : Who was or who were the military advisers to the Fuehrer ?

A.: In matters concerning the entire Wehrmacht, it was FM Keitel, except in strategic and operational questions. With regard to those, it was General Jodl. In matters concerning the individual branches of the Wehrmacht, whether of an operational or other nature, the main advisers to the Fuehrer were the Commanders in Chief of the branch of the Wehrmacht concerned. For the land-war in the East, it was the Chief of the Army General Staff.

Q. 14 : Was his not a very thankless task ? I mean, thankless insofar as FM Keitel was often in the position of having to present objections and complaints, which were to be made to the Fuehrer

H0678-0067

and that then it often happened that he had to put up with the Fuehrer's reaction to these objections and complaints; on the other hand, in that he was considered and described by the authorities, who had raised these complaints and objections, as a man who could not make his opinions felt?

A.: Yes, that is correct. He was always having to settle clashes which arose and this brought him small thanks.

Q.15.: Do you believe that Field Marshal Keitel could have made his opinions felt?

A.: No. As a rule, Hitler insisted on his point of view with the greatest tenacity. If he once declared: "It is my irrevocable decision", any contradiction was impossible.

Q.16.: What could or should Field Marshal Keitel have done in order to make his opinions felt? In particular was there not the possiblity of resigning from office?

A.: The Fuehrer often stressed the point of view that a General, just like every other soldier was not allowed to leave his post. He, Hitler, alone had to decide upon this.

Q.17.: How is the extent of work of Field Marshal Keitel to be judged?

A.: The work was very extensive, especially during the war. Field Marshal Keitel was a tireless worker.

Q.18.: Was he suited to his position?

A.: He was suited to his post, as Hitler throught.

Q.19.: How do you explain the fact that Field Marshal Keitel could not prevent the issuing of many orders, which did not correspond to the generally prevailing opinion in the Wehrmacht?

H0678-0068

D-5

A.: His position as Chief of Staff was too weak as against the Fuehrer. The orders, mentioned almost exclusively concerned the Army. The Army, however, had no Commander in Chief who could prevail against the opinions of the Fuehrer, since the Fuehrer after 1941 was, himself, Commander in Chief of the Army. When he issued a directive with his threefold authority as Head of the State, Supreme Commander of the entire Wehrmacht and as Commander in Chief of the Army, by far the largest branch of the Armed Forces, then Field Marshal Keitel could only state his objections, but he had no power to prevail with his objections.

I herewith declare under oath:

that the questions put before me by Dr. Dr. Otto Nelte, the Defense Counsel for Field Marshal Keitel (rtd) have been answered to the best of my knowledge and ability.

I have been informed that this document is to be submitted as an affidavit to the International Military Tribunal at Nuernberg.

I am aware that intentionally or unintentionally making an incorrect affidavit is a severe punishable offence.

N u e r n b e r g 15 March 1946

signed (Karl Doenitz)

H0678-0069

File
May 21, 1946.

K 20

SUPPLEMENTAL DOCUMENT FOR THE DEFENDANT KEITEL.

INTERROGATORY FROM GEORGE S/ MESSERSMITH.

English

H0678-0071

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании трибунала и только ту часть, которая представлена в качестве доказательства.

H0678-0072

United Mexican States)
Mexico, Federal District)
Embassy of the United)
States of America)

GEORGE.S. MESSERSMITH, being first duly sworn, deposes and says as follows in answer to the interrogatories addressed to him by counsel for General Field Marshal Keitel:

During my residence in Berlin, and during my later frequent visits there as stated in my prior affidavits, I saw Field Marshal Keitel and spoke to him in one or more occasions. However, I kept no diary and I am unable to state with particularity when and where the meeting or meetings occurred, the capacity in which Field Marshal Keitel there appaered or the topic or topics of our conversation. My judgement on Keitel expressed in my prior affidavit is based on personal knowledge, and on the general knowledge which I obtained from the many sources described in my prior affidavits.

signed : MESSERSMITH

Subscribed and sworm to before
me W.John Wilson, Jr.,
Vice Consul of the United States
of America, duly commissioned
and qualified,
in Mexico,D.F., Mexico, this
3 rd day of April 1946

(signed: W.John Wilson,Jr.
Vice Consul of the United States
of America

Service No. 3588
Tariff No. 38
No fee prescribed.

H0678-0073

SUPPLEMENTAL DOCUMENT FOR THE DEFENDANT KEITEL

K - 21

H0678-0074

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

H0678-0075

Document No. 21

SUPPLEMENT to

DOCUMENT BOOK

Defense Counsel: Dr. Dr. Otto NELTE

Defendant: Field Marshal (Ret'd)
Wilhelm KEITEL

H0678-0076

COPY

DER FUEHRER

Fuehrer Headquarters
20 July 1944.

Effective at once, I appoint Reichsfuehrer SS HIMMLER as Commander of the Replacement Army and delegate to him herewith all appropriate powers in respect to members of the replacement army.

The Reichsfuehrer SS HIMMLER furthermore will exercise over the replacement army all powers as disciplinary superior and as judicial authority which are those of the Supreme Commander of the Army.

DER FUEHRER

signed: Adolf HITLER

H0678-0077

I herewith affirm in lieu of oath:

The above document is the verbatim copy of the Fuehrer Decree of 20 July 1944. It is known to me that this document is to be submitted to the International Military Tribunal in Nuernberg as evidence. I know that the premeditated or careless deposition of a false affirmation in lieu of oath is liable to severe penally.

Nuernberg, 21 May 1946

signed: W. KEITEL

June 19

SUPPLEMENTAL DOCUMENTS FOR THE DEFENDANT KEITEL.

K - 22

English

H0678-0079

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

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Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Tail, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

H0678-0080

DOCUMENT K 32

S u p p l e m e n t to

D o c u m e n t B o o k

Defense Counsel: Dr. Dr. Otto NELTE

Defendant: Field Marshal (Ret'd)
Wilhelm KEITEL

H0678-0081

Paris, 15th April L946

TESTIMONY

COPY

COURT OF JUSTICE IN THE SEINE DEPARTMENT

This seventeenth day of April
in the Year Nineteen Hundred and Forty Six
before us Pierre Marchat,
the Investigating Magistrate at the Court of Justice in the Seine Department, at our Paris Office, assisted by Laurent Edouard, sworn assistant clerk.

Appeared the witness hereinafter named whom we informed of the facts on which he has to testify.

Being summoned in the absence of the Defendant, after having been served with the summons to be given to him, sworn upon oath to tell the truth and only the truth and having been asked by us for names, surnames, age, profession and address, whether he is a servant, a relative or a connection to the parties in question and in what respect, the witness replied to us and testified as follows:

Having been informed that we are acting in compliance with the directives of the Chief French Prosecutor at the International Military Tribunal in Nurnberg.

SCAPINI, George, 53 years of age, Ex-Ambassador of France, 79 rue de la Tour a Paris

testifies: The ten questions put to me by the Counsel for the Defense of Marchal KEITEL have been communicated to me.

H0678-0082

I considered it right to answer them in writing and I am submitting to you the replies which I think it my duty to make to these questions.

In answer to the question of the Chief French Prosecutor I beg to inform you that, in truth, I have completely lost my eyesight as a result of the wounds which I received during the campaign 1914-1919.

It seems to me furthermore that the fact that for fourteen years I was President of the Union for the War-Blind would be sufficient to establish this.

READ, CONFIRMED AND SIGNED

Signed: G. SCAPINI

P. MARCHAT

E. LAURENT

H0678-0083

COPY

Paris, 15 April 1946

I. IS IT CORRECT THAT AS EXTRAORDINARY PLENIPOTENTIONARY TO THE GERMAN GOVERNMENT YOU WERE ENTRUSTED BY THE FRENCH GOVERNMENT (VICHY) TO DISCUSS PROBLEMS AND GRIEVANCES CONCERNING THE FRENCH PRISONERS IN GERMANY?

It is correct that by a letter - dated the 31 July 1940 and which I received on 30 August 1940, Marshal PETAIN asked me to contact the occupation authorities and the Reich Government in order to straighten out certain difficulties which might eventually arise in connection with the fate of our prisoners of war.

That the French and German Government agreed that as from 10 December 1940, France would take upon herself in protection of her prisoners of war according to the principles of the Geneva Convention and that I was to be entrusted with this new mission which up to the present moment had been assumed by the United States of America.

And that I actually assumed this mission as 16 December 1940.

H0678-0084

II. IS IT CORRECT, THAT IN THIS CAPACITY, YOU OFTEN NEGOTIATED WITH THE GENERAL REINECKE AND THAT HE, AS CHIEF OF THE WAR PRISONERS SECTION AT THE HQ'S. OF THE WEHRMACHTS HIGH COMMAND HAD ALWAYS RESPONDED KINDLY TO PROBLEMS AND GRIEVANCES BROUGHT BEFORE HIM?

It is correct, that General Reinecke examined objectively and without hostility all the problems that were brought before him and always tried to settle them with understanding when they depended upon his sole jurisdiction. It was different when pressure was exercised upon the OKW by the Labour Department or sometimes by the Party.

III. IS IT CORRECT, THAT YOU AND THE MEMBERS OF YOUR DELEGATION WERE ENTIRELY FREE TO CORRESPOND WITH ALL THE PRISONER CAMPS AND LABOUR KOMMANDOS AND HAD FREE ACCESS TO THEM?

1.) Yes, in principle, but our correspondence was given to the German Foreign Office which sent it through the OKW to be delivered to the camps where it was submitted for the third time to the censorship of the local Kommandanturs. The same proceedings were used by the International Committee of the Red Cross and other protecting powers for prisoners of war belonging to other nationalities.

2.) Yes, we are allowed access inside the camps.

IV. IS IT CORRECT THAT YOU YOURSELF AND MEMBERS OF YOUR DELEGATION VISITED THE CAMPS AND LABOUR COMMANDOS AND COULD SPEAK TO THE PRISONERS WITHOUT WITNESSES?

A.) Yes, as far as OKW gave its permission to travelling plans submitted to them on the other hand our visits were not as often as we should have liked them to be on account of:

H0678-0085

1.) The limitation of the number of our delegates by 10 and then 15,

2.) The insufficient number of German officers available for escort or the transport difficulties.

3.) The interruptions of visits ordered by OKW which happened several times:

a) in the winter of 1941-1942; for about a whole month certain "Wehrkreis" were closed to visitors on account of epedemics of spotted fever.

b) in May 1942, soldiers' camps (Stalags) were closed to visitors for about 5 months, officer camps (Oflags) for about 9 months, violating the agreement of Geneva in spite of numerous protests.

c) 8 October 1944, final cessation of visits to camps on account with our refusal to recognise the Governmental Commission of Sigmaringen.

B) It is correct that we could speak to prisoners without witness.

V. IS IT CORRECT THAT IN THE FRENCH CAMPS THERE WERE TRUSTED MEN CHOSEN BY THE PRISONERS THEMSELVES WHO COULD APPLY TO YOU IF THERE WERE ANY COMPLAINTS TO BE MADE?

Yes, at least at the time when he could control it precisely.

VI. IS IT CORRECT THAT FOR EACH MILITARY REGION FRENCH OFFICERS OF A CERTAIN AGE CHOSEN BY YOU WERE AT YOUR DISPOSAL AS YOUR REPRESENTATIVES PROVIDED WITH SPECIAL PASSES BY THE SUPREME COMMAND OF THE WEHRMACHT AND COULD TRAVEL ABOUT FREELY IN SEARCH OF WAR PRISONERS?

Yes, with one or two exceptions officers chosen by me were at my

H0678-0086

disposal of my representatives. They had passes issued by OKW and could move about freely in military regions assigned to them provided prrmission be granted to them by the military authorities to which they were subjected. They were admitted only to camps and "commandos" of war prisoners. These officers were placed at my disposal in October 1942. For the first time they were confirmed by OKW to the camp assigned to them in November 1943; then they were again imprisoned at Oflag VI A till they were liberated by American troops.

VII. IS IT CORRECT THAT YOU COULD ASSEMBLE THESE FRENCH OFFICERS AND HOLD CONFERENCES WITH THEM WITHOUT CONTROL AND ACTUALLY DID SO?
Yes.

VIII. DO YOU THINK THAT THE SUPREME COMMAND OF THE WEHRMACHT EXAMINED ATTENTIVELY ALL THE COMPLAINTS PRESENTED TO THEM AND GAVE THEM SATISFACTION IF THEY SEEMED WELL FOUNDED?
Yes, OKW examined attentively all complaints. As to their "giving them satisfaction if they appeared reasonable"
It is hard to answer this question because, whilst we c considered that the complaints we presented were reasonable, the OKW rejected some of them as non-founded. There would have to be a judge to estimate whether they were reasonable or not or else an exact definition of a reasonable complaint.

IX. DO YOU THINK THAT COLLABORATION WITH THE CHIEF OF THE SECTION OF WAR PRISONERS OF THE SUPREME COMMAND OF THE WEHRMACHT WAS ENTIRELY LOYAL?
I consider it as such so long as the German Labour Office or party did not interfere or press upon the OKW. But it is not correctly speaking a question of collaboration but

H0678-0087

rather a question of comparing two points of views. The Chief of the war prisoner Section of OKW defended loyally the German point of view, at the same time I defended loyally the interests of the French war prisoners.

X. DO YOU THINK, THAT THIS COLLABORATION WAS INTERRUPTED ONLY AFTER THE LANDING OF THE AMERICANS IN NORTH AFRICA?

I don't remember any notable change at the time.

H0678-0088

DOCUMENT K 23

- -

Document-Book 2

Supplement

Defense counsel: Dr. Otto NELTE

Defendant: Field Marshal, retired, W.KEITEL

K 23

- -

H0678-0089

Questions asked of Vice-Admiral (ret) B u e r k n e r :

former Chief of Office group Foreign Countries in the Counte Intelligence Service (Chef Amtsgruppe Ausland im Amt Ausland Abwehr (Chief, admiral C a n a r i s) on the occasion of th deposition of the witness Dr. Bernd G i s e v i u s .

A. Dr. Gisevius in answe to questions put to him by the pro- secution stated, basing on alleged informations by the High Command (OKW), that:

1.) Keitel had been one of the most influential men of th Third Reich;

2.) he had held one of the most influential positions, an that

3.) he had exercised an enormous influence upon the army.

4.) Furthermore, Dr. Gisevius asserted that field marshal Keitel had surrounded Hitler by a ring of silence and by such means prevented that reports concerning abuse and complaints should not reach Hitler.

5.) Lastly, Dr. Gisevius stated that field marshal Keitel had treated his subordinates - chiefs of offices and partments and the like - badly and that he had even threatened them, with the Gestapo.

You had owing to your insight into the actual conditions the possibility, to judge for yourself whether this description of the field marshal's position is true. I should appreciate your answering these questions as fully as possible. I am interested in your giving these answers as objectively as pos sible, and whenever possible, quoting concrete details. Plea keep in mind that it does not matter what another person wou perhaps have done <u>according to his own character</u>, but that the point at issue is what field marshal Keitel actually did and how he acted in the position he held and as the individu he was.

H0678-0090

B. I am in a position to answer these questions only as far as the former German armed forces are concerned and only insofar as their relations to the German Foreign Office are involved, as I did not have anything to do with other offices.

To 1.) Field Marshal Keitel had "power" over his staff exclusiv. viz. the OKW and the military offices immediately subordinate to it; furthermore, Hitler transferred to him, as far as I know, after the withdrawal of Field Marshal v. Brauchitsch, the latter's authority as a minister of war., so that he was empowered to exercise such authority by order of the Supreme Commander of the Army (Ob. d. H.) The OKW, as a factor of power, was far behind the High Commanders of the Air Force and Navy and also of the Chief of the General Staff of the Army. All these watched most anxiously that nothing was changed in this situation, not to speak of the Reich Fuehrer and the Waffen-SS. In this connection it is most indicative that Himmler continued to seize upon large parts of the OKW, and without Field Marshal Keitel having any possibility to defend himself. (Counter-intelligence, P.o.W. matters).

To 2.) A) In the main, considering conditions in Germany only the influence upon Hitler was determining. According to the opinion of all officers who were in the know, such an influence was very small, insofar as the person of Field Marshal Keitel is concerned. During the last years it obviously was nil.

B) Any influence of the Chief of OKW upon the Air Force and the Navy was impossible, owing to the strong position of their C-i-C's.

H0678-0091

Owing to the fact that the Chief of the General Staff of the Army, of the Chief of the Army Personnel Dept. and of the Field Army Commanders reported immediately to Hitler the same can be said of the major part of the arm

C) As Colonel-General Jodl often said, Field Marshal Keitel had no influence upon the operational activity of th operational staff of the armed forces (W.F.St.)

What has been said sub 1.) is valid for the rest of OKW.

D) The Chief of OKW was very much intent upon a non-interference with matters pertaining to the Foreign Office, t which I was delegated as a liaison officer. This went s far that all subordinate military offices had been order to keep out, in a very large measure , of all matters pertaining to Foreign Policy. This led repeatedly to great difficulties, for instance with the military, naval and air attaché's, as well as with the "German generals" assigned to the allied countries.

I had no insight into the events concerning foreign poli at the Fuehrer Head Quarters. In our sector, however, I could observe how much Field Marshal Keitel was intent upon not meddling with the Reich Foreign Minister in questions of foreign policy. I am, therefore, of the opinion that any influence of the Chief of OKW upon decisiv questions of foreign policy was out of the question.

To 3. Keitel's influence upon the army follows from the answer to 1., it was small. The Commander of the Replacement Army, Colonel-General Fromm, was a very self-assured, strong man, difficult to handle.

H0678-0092

He once told me himself that he strongly opposed Field Marshal Keitel. Accordingly, there is no doubt, that t Chief of OK" had to reckon with a considerable resista of Colonel-General Fromm whenever he wanted to exert his influence upon the replacement army. When Himmler became Commander of the replacement army, Keitel's position became still more difficult.

To 4. I cannot judge from my own experience, whether Field Marshal Keitel had formed a ring of silence around Hitler and accordingly had prevented that Hitler received any reports concerning abuses and complaints. I do not think it possible, in fact, for the entire military sphere. I only know that my office chief, Admiral Canaris, was seeing Hitler less and less as the years passed by. But, in my opinion, this was mainly rather due to Canaris himself.

To 5. I do not know anything about bad treatment of his subordinate Chiefs of offices and departments by Marshal Keitel. If he used bad language rather often, such was considered as not more than customary among soldie To me Field Marshal Keitel was always particularly companionable. Admiral Canaris in spite of his frequent fits of anger called him "Papa", the two men were very friendly and companionable to one another.

I do not know anything about threats with the Gestapo.

I have not been able to learn whether Field Marshal Keitel intervened upon my request, and, if so, in what manner, on behalf of the cavalry captain of the reserv Ambassador Dr. K i e p , whom he knew personally and wh was sentenced to death.

H0678-0093

On the contrary, I know that among other things, the Chief of OKW intervened unambiguously in writing on b half of the then Major-General Freiherr von Buttlar, of the Armed Forces Operational Staff, when this latter was attacked in writing by the Reichsfuehrer SS.

To 6. Concluding I should like to state the following:

A.) It is true that all offices mentioned, including the Foreign Office, watched with the eyes of Argus that nothing was taken away from them by the OKW; but this did not prevent that all unpleasant and unsatisfactory matters were devolved, if at all possible, to the OKW, particularly so, when they had to be reported to Hitler. Admiral Canaris, too often bitterly complained about this.

B.) During the entire war, I never met any officer who might have been willing to take upon himself voluntarily the thorny office of Chief of OKW.

(signed) Buerkner

L. B u e r k n e r)

Nuernberg, 28 June 1946

For the correctness of the copy:

(illegible)

H0678-0094

Document K 24

Document book - 2

supplementary

Defense Counsel : Dr. Dr. Otto Nelte

Defendant : Fieldmarshal ret. W. Keitel

K 24

H0678-0095

A. J O D L

Nuernberg, 17 June 1946

Affidavit by the

former Col. General A. Jodl .

I know the former Fieldmarshal Wilhelm Keitel since 1932 and for almost 10 years, during peace and wartime, he was my direct superior. Thus I believe to know him better than all other witnesses, especially in view of the fact that I was well acquainted with his family and entered into close personal relations with him.

1.) Keitel, in his capacity as Chief of the Wehrmachtsamt and later as Chief of the OKW, was the head of an office which, from the beginning was little liked by the army, navy and air force and was even bitterly contested by the Chief of Staff of the armed forces.

As long as this working staff of the War Minister and later of the Fuehr limited itself to deal with questions concerning the War Ministry, which in the Wehrmacht had to be regulated individually, he remained in his position unchallenged.

When however, he proceeded to establish an operational department in order to maintain a unified command over the Wehrmacht, the Wehrmacht components alarmlingly viewed this as endangering the independence of their various components, the Commanding officers of which claimed for themselves the right to be and to remain the only and direct advisers to the Supreme Commander of the Wehrmacht in all matters concerning the conduct of war.

H0678-0096

Even though von Blomberg as well as later Hitler had a different conception about the direction of the Wehrmacht and desired a personal staff-unit for a unified maintenance of the Wehrmacht, the various components of the Wehrmacht saw in the person of Keitel an ambitious General, who welcomed such a solution in order to appear as a strategic genius. This, however is incorrect, for Keitel constantly rather belittled than enlarged his capacities in this field towards me and he felt more even to the task as an experienced organiser, in which he excelled.

Thus it can be explained, that Keitel was subjected to general criticism, not on account of his person but by reason of being the possessor of an unpopular office.

2.) Keitel as superior :

Fieldmarshal ret. Keitel was well liked by his subordinates; he left them a great amount of freedom, was affable without ever being severe, worked like a horse himself, helped his subordinates whenever and wherever he could and I have never heard any disapproving remarks about him as is customarily the case, from the chiefs of departments subordinated to him during time of peace.

H0678-0097

Of the Chiefs directly subordinated to Keitel, I have seen during the war more frequently only Admiral C a n a r i s , General R e i n i c k and Generaloberstabsrichter Dr. L e h m a n n . The former two never said a dissenting word about Keitel. Lehmann complained several times that Keitel could not prevail upon Hitler and that he was not in positio to convince the Fuehrer of the necessity of strict court martial punishment for all violations of German soldiers even in the East and in the fight against partisans.

L e h m a n n once declared : Keitel is so courageous, that he would oppose a lion with his bare fists; towards Hitler, however, he is as helpless as a child.

3.) K e i t e l as the subordinate of the Fuehrer .

His not very strongly developed willpower was dominated by the tremendous energy of the Fuehrer's willpower. Of course he often vigorously opposed the Fuehrer in the beginning of the war. When, however, Hitler became personal and so insulting that he had to feel ashamed before the younger officers present when his requests for resignation were rejected, he became resigned and avoided everything that would lead to such degrading scenes.

H0678-0098

He sought refuge in his work and opposed the Fuehrer only, when [illegible] with him. His accented courtesy towards Hitler as well as towards senior officers e.g. von R u n d s t e d t, may often have been the cause for scornful critizism, especially by the younger officers.

4.) Keitel as human being .

With all his physical robustness, Keitel was a sensitive being and there was no trace in his makeup of a brutal and cruel disposition. He was grieved by the death of his son and daughter and the anxiety for his wife during the bombing attacks on Berlin weighed heavily upon him. He was happy when he could bestow pleasures upon other people and he was unhappy when conflicts arose between Hitler and the Wehrmacht and between the OKW and other offices. It was him alone who, during the attempt of assassination on Hitler on 20 July 1944, took him into his arms and calmly and cautiously led him away like a child, - the first unforgettable observation I made upon regaining consciousness.

H0678-0099

He supported the family of Admiral C a n a r i s after his arrest and he was effective in securing from Himmler decent treatment for the families of officers convicted after the 20 July.

He was no "murderer", no "executioner", he was a dutyful obedient soldier, much too soft and too decent for Hitler, but honest, true and ready to help.

This is my judgement of K e i t e l , which is not dictated by friendship or compassion, but by the obligation, to truthfully correct a distorted picture.

.....

(signed) : Alfred Jodl

I declare herewith in place of oath : the above affidavit was made by me to the best of my knowledge. It is known to me that this document is to be submitted to the IMT in Nuernberg as evidence. I am aware that the wrongful or negligent making of an incorrect statement is severely punishable.

.....

(signed) : Alfred Jodl

Nuernberg, 17 June 1946

H0678-0100

Document K 25

Annex
to
Document- Book 2
Defence Counsel: Dr.Dr.Otto Nelte

Defendant: Field Marshal a.D. W.Keitel

H0678-0101

15 June 1946

Direction of the Army in

Part A. Before the Fuehrer took over the supreme command

The Ob.d.H. (C in C of the Army) directed with the assistance of the following Main Branches:

a) General Staff of the Army with: Qu.I-Chief Quartermaster I (Operational Section and Training)
Q.Qu.II (Organisation Section and foreign Armies)
General Quartermaster with Administration Chief for occupied territories

b) Personnel Office (Field Echelon)

c) General for special tasks (z.b.V.) with Army Legal Branch (For discipline Propaganda, welfare etc.)

d) Army Surgeon General and Veterinary General (attached to the General Staff)

e) Chief of Armament and Commander of replacement training Army - Fromm
(Chief H.Ruest.and B.) in Berlin
with sub-ordinated (General Army Office (AHA) Olbricht
(Army Ordnance Office (HWA) Loeb
(Army Administration Office (HVA) Ceterp

To the General Army Office belonged the Army inspectorates, the medical inspectorates and the veterinary inspectorates, the Army legal Dept., Schools, etc.

The offices a) to d) were at Army Headquarters, apart from small branches in Berlin;

The office e) Chief of Armament and Commander of replacement training Army entirely in Berlin.

2) Of these Army offices the following were competent, under the direction of the Chief OKW, for Armed Forces matters (that is for all three branches of the Armed Forces and the Waffen SS)

a) Chief Transportation and Communication (Central direction for Navy and Air Force also)

b) General Army Office (Army replacement) (spec.dept.)

H0678-0102

c) Army Administration Office (food and allocation of textiles, leather etc.)

While these offices handled the individual matters for the army itself, they prepared at the same time, according to my directives to be approved by the Fuehrer, the entire distribution of personnel and material at the disposal of the Total armed forces which was then ordered by the Fuehrer or by me on his instruction.
The chief H.Rüst. and B.d.E. was the permanent representative of the Ob.d.H. in the interior zone of operation and the appointing authority for the entire replacement army which belonged to the Ob.d.H. was transferred to him. He was the superior officer of the Deputy Commanding Generals (Military area commander)

Part B After the Fuehrer had taken over the supreme command. (as of 19 Dec 1941)

---

1) The Fuehrer subordinates to himself "directly" the General Staff of the Army under the Chief of the General Staff.
2) The other powers of the Ob.d.H.(OKH) as the supreme administrative authority - that is apart from the authority of command - were transferred to me, that is I was to exercise them according to the directives of the Fuehrer "for him". That meant that I had to issue, in agreement with the daily issued decrees of the Fuehrer, the corresponding directives to the Army offices - the General Staff excepted.

These authorities were however narrowed by the Fuehrer with the same decree inasmuch as he reserved for himself the direct relation with the Chef -Heeres-Rüst and the B.d.E. and the chief of Army Personnel

H0678-0103

as far as fundamental and important questions were concerned and this through his chief also aide General Schmundt. The Fuehrer had charged General Schmundt with the drafting of this short decree who upon my inquiry as to certain unclear matters called the decree "provisional". (It was finally issued only in fall 1942 at the change of the chief of General Staff and was narrowed further for me

3.) I explained to the Fuehrer that without responsible authority of command I could not do justice to the task, the Fuehrer replied that I was bound by his instructions and that he himself alone exercised the authority of command.

4) With the approval of the Fuehrer I therefore formed a small staff for him, called "[illegible] Staff with OKW", for which the chief of the General Staff had to make General Buhle (up to now Chief Org.Dept. in the General Staff of the Army) available. He was subordinated to me.
This office of the Army (OKH) in the Fuehrer Headquarters consisted of:

General Buhle (in charge, chief)
a Lt.Colonel for personnel matters
a Lt.Colonel for materiel matters
and an office help

General Buhle participated in all situation reports and in all conferences as representative of the army interests and he handled the communications with:

a) Gen.Staff of the Army, especially Org.Office of the Army
b) Chief H.Ruest. and B.d.E. in questions of personnel and materiel
c) Minister Speer in questions of materiel
d) Armed Forces replacement Office (For Army interests)
e) General Quartermaster (Supply matters)

After a short time of making himself acquainted General Buhle became in all

H0678-0104

questions of organisation(for ations), replacement of personnel and material, that is mainte ance of the fighting power of the Army - in permanent cooperation with the General Staff of the Army, - the right hand of the Fuehrer himself, even though he was personally subordinated to me. He came into the same direct connection with the Fuehrer as Col.Gen. Jodl as chief WFST. This did not prevent, here as there, my exerting of influence and the execution by me of the decrees approved by the Fuehrer.

5.)The chief H.Ruest and P.A.E. (Fromm), who mostly every four weeks made a thorough verbal report to the Fuehrer in my and Buhle's presence concerning the replacement situation of personnel and material for the Army,etc., remained directly subordinated and responsible to the Fuehrer; the Fuehrer confirmed this to him at his first report at the end of December 1941. Th did not prevent me together with the Chief Army Staff General Buhle from being and remaining the intermediary and from making decisions according to Hitlers instructions in minor and current matters which Fr m brough to me.

6.)The chief of the Army Personnel Office, General Keitel cooperated closely with the Chief of the General Staff and Chief Aide of the Fuehrer General Schmundt. As a rule Schmundt submitted the propositions of the Chief P.A., examined and approved beforehand by me (changes in personnel, officers replacement) to the Fuehrer for execution; he was to make himself acquainted with the PA as future chief PA. On 1 Oct. 1942 Schmundt became PA, herewith ended my influence which I had requested.

7.) The General z.b.V. (for special tasks with Army Legal Branch was subordinated to me in all legal matters of the field army (not interior zone of operation). He reported to me himself or through the chief of the Army Legal Branch (Judge Advocate General) the legal (pardon) matters or fundamental decrees concerning administration of justice. About every 8 to 10 days I made a collective report to the Fuehrer and

H0678-0105

executed the decisions approved by him with the signature : "For Der Ob.d.H., Keitel". In ignorance of the circumstances, German Army authorities inferred from this a "special authority". Sentences against officers were pronounced by the Fuehrer personally, death sentences against officers of all three branches of the armed forces were channelled as before through the Army Legal Branch. In these matters, except jurisdiction, the general z.b.V. was subordinated to the Chief of General Staff.

8.) With Army surgeon and veterinary I had nothing to do. The necessary influence on the medical service was exercised by the Fuehrer (OKW) through me over the chief of the Armed Forces medical service, which was an armed forces office, created in fall 1941, in closest cooperation with the representative of the Fuehrer for the medical service, Prof. K. Brandt.

9.) It is beyond any doubt that the Quartermaster General, as an integral part of the General Staff was and remained subordinated to the Chief of the General Staff. It is further true that a definition of the responsibilities of the Quartermaster General to me with regard to the occupied territories was neither requested nor ever pronounced by the Fuehrer, verbally nor in writing.

It is rather true that always when in absence of Halder or the Quartermaster General at the situation conferences, questions or directives of the Fuehrer concerning administration of the occupied territories came up, General Warlimont acted as intermediary for the Fuehrer's orders in direct communication with the Quartermaster General (or his office). I myself spoke or telephoned with the Quartermaster General only in exceptional cases, strictly speaking only when he approached me in questions of a general nature, in my capacity as

H0678-0106

chief OKW. The Quartermaster General was responsible to the Fuehrer himself and directly.

It is finally established :

I never had any direct connections with the army offices in the "occupied territories" because the Quartermaster General was alone competent for that (except for a visit with v.Falkenhausen in Bruxelles).

According to the scope of his duties it is obvious that the Quartermaster General had a specially large measure of independence and had to have it with the scale of his tasks and his responsibility.

Part C. The executive duties of the Army offices in tasks of the Armed Forces.

As long as the available means in personnel and materiel were sufficient for the requirements of the entire armed forces, that is as long as the requisitions of the branches of the armed forces and the Waffen SS could be filled immediately, the allotting through the management of the offices of the army, available and trained for it in the former Reichswehr Ministry and later War Ministry, worked smoothly.

Although I endeavoured from the beginning to create neutral Armed forces offices for this, I succeeded, until the war, only insofar as I could tie these offices closer to the OKW and could staff them along the lines of the armed forces (Bezirks Kommandos, Wehrersatz-Inspektionen, etc.) The decisive viewpoint was that nobody considered himself cheated by the fact that one interested party had to supply also the others and hereby favored himself.

H0678-0107

Only when at the beginning of 1942 the requirements of all Wehrmacht units could not be fulfilled anymore, difficulties arose in dividing the material on hand equal and in accordance with the conduct of the war. The more I had to connect the OKW, that is, the Fuehrer with the distribution, the less, however, I could dispense with the competent administrative offices which surveyed and governed the territory. This is how the decisive influence of the OKW, concerning the allotments and disclaims, originated which had to be forced upon the requesting Wehrmacht units.

(for details see part A, number 2)

conc.a) Transport and Information:

The WFSt. arranged the coordination according to needs of the operative leadership, assigning the chiefs of the transport and information departments of the Army as the central office for the Wehrmacht.

conc.b) Replacements:

The Army has always been the chief consumer because it represented the masses; Navy and Air-Force were only small appendages. Their recruiting need was covered by volunteers which at the most had to be limited to them, the same for the Waffen-SS until 1943. In the General Army Office (since 1940 under Olbricht) which regulated the entire personnel department for the army, was a department called "Wehrmacht Recruiting", which received its orders from the OKW and arranged supplying the Wehrmacht and Waffen-SS (bulk distribution) according to those orders . The chief of the General Army Office was the superior for current affairs and was subject to my orders in Wehrmacht problems. Although General Olbricht had to deal with me in Wehrmacht problems, he was responsible for the work in the "Wehrmacht Recruiting" department and in dealings with the main Reich authorities during the war he represented frequently the total Wehrmacht, that is, the OKW. Practical the Army was the only decisive consumer,

H0678-0108

while Navy and Air Force, because of their numerical shortage, were taken care of by the recruiting contingent and sometimes were obligated also to supply the Army with trained personnel.

The fight with the civilian ressorts and the economy was not for the recruiting years, becoming subject for conscription, but for the soldiers furnished by the U.K., who again had to be taken from the entire economic life. There were 22 civilian consumers in the entire economic life,, who fought for working powers which they could not dispense with, while the Wehrmacht had to insist, on the legal demand in their need for men. In these arguments General Olbricht frequently led the conferences that is, in the special interest of the Army, with the civil offices to release those men furnished by U.K., that is, to give notice to the U.K. offices according to time and extent. Thereby he represented the C.W., that is, me, whenever the resultlessness of his conferences with State secretaries etc. did not require my personal presence in the Ministry. This was a very tedious and ungratifying task but served only the interest of the Army and was the only connection I had with Olbricht, because Oberst (Colonel), later General, Weidemann as chief of the Wehrmacht Recruiting department, lately had indeed the expert knowledge but not the authority toward the civil offices and also lacked the necessary effective punch.

I had nothing to do otherwise with Olbricht, he was subordinate to Fromm with the numerious departments of his large office. The fight for manpower, thereby maintaining the power for the Wehrmacht on the one hand, and the increase in production, beginning with raw materials up through the requirements for food, consumers's goods, traffic and war materials on the other hand, was the key point for governing the people of the entire nation during the war since 1942.

H0678-0109

The Fuehrer was the first to perceive the insolubility of the problem after the war in the East in the winter of 1941/42. He used two methods:

a) He incited to consumers (Wehrmacht-Economy) against each other and let them struggle desperately.

b) He took the mobilize foreign workers under the motto: "Germany fights for Europe, anyone who does not shed blood for it must work for it". (Commitment Sauckel).

The chief mistake in the upkeep of the Army's battle moral was, however, that the Fuehrer refused the requests passionately presented to him age and again by me, namely not to leave the selection of the men declared sential (U.K.) who were to be turned over to the troops from the war economy, to the employers, which I perceived and requested the just and supra-partial re-drafting for Army service through conscription accordi to years (starting with the youngest). The economy naturally furnished the worst workers who became also the worst soldiers. Thereby the Army' fighting power abated constantly even though a numerical balance was attained; the quality abated frightenningly and the enthusiastic youths (recruts) were unable to prevent the slow deterioration which the Fuehre blamed on the faulty national-socialist character and influence of the Officers Corps (N.S.-Command Officers).

The constant latent fight for the conscription of men classified U.K. for front service concerned by 95% only the Army; it was natural that thereby I also utilized the aid of the Army representatives, that is, General Olbricht. This was the only contact with him, but in which also Generaloberst Fromm gladly directed the responsibility toward me.

H0678-0110

Re. c) Food Supplies and Equipment (Clothing and Leather).

For the Armed Forces this was handled by the Army Administration Office (Heeres-Verwaltungs-Amt HVA) under General Osterkamp. As far as the supply of textiles and leather as raw-materials was concerned, the HVA presented the requirements of the entire Armed Forces (without SS) to the Minister of Economics and alloted the contingents to the branches of the Armed Forces. Impartiality was assured by having the HVA subordinate to my orders i.e. the orders of OKW for requisitions and allotments. To this and also it became necessary that the Fuehrer intervened and used his authority since supplies were scarce, the requirements of the branches of the Armed Forces could no longer be met, and the reduction for the people and the Armed Forces had to be decreed by the Fuehrer.

The same was true about the food, which was requisitioned by HVA from the Minister of Food for the army, the navy, the air-force, the SS and police and the prisoners of war. There was closest reciprocity between the requirements and the food-rations for the entire population. There is no need of proving, that for this alone it was necessary to secure the decisions of the Fuehrer in executions which were far beyond the scope of the Armed Forces. General Osterkamp, as chief of the HVA always stood close by me, i.e. OKW, so that it was possible for us, by mutual understanding the Minister of Food, to always present an acceptable proposition to the Fuehrer, and always obtained his consent. It is to the merits of General Osterkamp, to have given me excellent advice and assistance.

H0678-0111

Appendix to direction of the army in war.

The Fuehrer
and Commander in Chief
of the Armed Forces.

F.H.Qu., 12/19/1941

I have decided to take over the Chief Command of the Armed Forces myself, beginning today.

The Chief of the General Staff of the Army shall be subordinated directly to me. (He shall be responsible to me).

The other authorities of the Ob. d. H. (OKW) as highest administrative body of the war-army (Kriegsheer) for maintaining the army in war formation are exercised in compliance with my instructions by the Chief OKW Feldmarschall Keitel according to my orders.

However I reserve the right to personally give fundamental orders and directives to the Army Armament Chief and to the Commander of the Replacement Training Army (Befehlshaber des Ersatzheeres) and to the Chief of the Army-Personnel-Office.

signed: Adolf Hitler.

F. d. R.

Keitel
Feldmarschall

N o t i ç e

This is - in the main points - a true rendition of the order then given, according to the notes which I made of the destroyed original after I was taken prisoner.

W. Keitel

H0678-0112

I herewith assure in place of oath:

that I have answered to the best of my knowledge the questions asked by my defense counsel, Dr.Otto NELTE, concerning "Direction of the Army in War". I have been informed that this statement, as an affidavit, is to be presented before the International Military Tribunal at Nuernberg. I am aware of the fact that there is a heavy penalty upon intentionally or negligently giving an incorrect statement under oath.

Nuernberg, ... 1946

H0678-0113

Dr. Otto Nelte
Defense Counsel
for the
accused W. Keitel

Nuernberg, 22nd August 1946

To: The Secretary General's Office,
International Military Tribunal,
N u e r n b e r g

Re.: Prosecution of the accused Field Marshal (retd.) W. KEITEL

At today's sitting of the IMT the Court agreed that the undermentioned three affidavits:

1) of the accused W. Keitel, dated 17th August, document No. K 26,

2) of the accused W. Keitel, dated 17th August, document No. K 27,

3) of General Hermann Reineicke, dated 12th August, document No. K 28,

could be submitted as evidence, as soon as they were translated, and at latest by the end of the final speeches.

The Prosecution declared, through Sir David Maxwell-Fyfe, at the sitting that they had no objection to these affidavits.

I should therefore be obliged if you would have them translated at o n c e.

I enclose 2 copies of each of these affidavits.

(sgd.) Dr. Nelte

Defense Counsel

6 Enclosures.

H0678-0114

Document K 26

- -

Supplement to the

D o c u m e n t - B o o k

Defense Counsel: Dr. Otto NELKE

for the

Accused: Field Marshall Wilhelm KEITEL, (retd.)

K 26

- -

H0678-0115

Document K 26

Nuernberg, 17th August 1946

A f f i d a v i t

by Field Marshal Wilhelm KEITEL (retd.)

In the recording of evidence by the Organizations documents 4048-4050 and 4069 PS, which concern the same facts, were produced. As in document 4069 PS (report by General BOISSON of 29th April 1945) the OKW is mentioned, I declare that the OKW and I as its Chief were not concerned in the planning and preparation of the carrying out of the murder of the French General MESNY, and further that I had no knowledge of these events nor of their execution.

I think this is made clear by the contents of the documents themselves. The authors of this murder had the men who were to carry out this murder clothed in Wehrmacht uniforms and used Wehrmacht motor vehicle distinguishing-signs for vehicles that did not belong to it. Nobody will believe that if I had been aware of these facts I should have given my consent.

Into the plotting there fits in the "Command of the OKW" reported by General BOISSON and which is invented. This is clear from the fact that the OKW had at that time nothing to do with matters relating to prisoners of war; matters appertaining to prisoners of war had been withdrawn from the OKW, with effect from 1st October 1944, and transferred to Himmler. The shameless implicating of the OKW was only done in order not to disturb the Generals who were transferred from Koenigstein, but to make them feel they were in safety.

This is not only one of the most shameful crimes but also an abominable attempt to besmirch the honour of the German Armed Forces by imputing this crime, to them.

I hereby declare in lieu of oath:

I have informed my Defense Counsel Dr. Otto NELTE in this affidavit to the best of my knowledge and conscience. I am informed that this statement will be produced to the International Military Tribunal at Nuernberg as an affidavit. I am aware that the intentional and remiss making of an untrue affidavit is liable to heavy punishment.

Nuernberg, 17th August 1946 (sgd.) WILHELM KEITEL,
Field Marshal, retd.

H0678-0116

Document K 27

Supplement to the

Document Book

Defense Counsel: Dr. Otto NELTE

for the

Accused: Field Marshal (retd.)

Wilhelm K e i t e l

K 27

Nuernberg, 17th August 1946

A f f i d a v i t

by Field Marshal Wilhelm KEITEL (retd.)

In hearing witnesses for the Organizations

a) SS

b) the groups General Staff and OKW,

there have been several mentions of members of the Armed Forces having been appointed to guard concentration camps and their being interrogated. Although I (and the OKW) are not immediately concerned, i.e. owing to lack of power to issue commands, to employ members of the Armed Forces for this purpose, I should like to add something to make matters clear because the Armed Forces "Army" is not represented here by a Higher Commanding Officer of the Army nor by a Commanding Officer of the Reserve Army (B.d.E.). These two would have been the competent Command authorities. The situation is as follows, according to my knowledge:

1. It is first to be ascertained, as the evidence has shown, that mention can only be made of Armed Forces members being guards in the sense of outer guards, but not of their being on duty inside camps.

2. But even this must have only occurred in the summer of 1944. At that time Himmler asked the Fuehrer for replacements for the heavy losses sustained by the Waffen-SS at the front, by men from the Army. I raised an objection to this with the Fuehrer and he said Himmler ought to comb out his individual organizations and call up all the young classes fit for service in the field.

   For that purpose the army was to supply as reinforcements up to 10,000 older men who were <u>not</u> fit for field service to the Waffen-SS, in order to free all younger classes in all SS organizations. That order was given to B.d.E. General Oberst FROMM at that time by the Fuehrer in my presence, about July 1944.

   These unfit soldiers of the Reserve Army passed out duly from service in the army and were again taken into the Waffen-SS and thus became members of the Waffen-SS.

H0678-0117

H0678-0118

It thus came about, as witness BRILL (SS) testified, that several thousand former members of the army were then, as new members of the SS, set to guard concentration camps, among other duties. But they were, as the witness BRILL confirmed, only used as outer guards for the camps. The Armed Forces had nothing to do with that.

3. Members of the Armed Forces were certainly used to a minor extent for guarding armaments concerns, i.e. for supervising arrested people from concentration camps working there, if war supplies were being made there. The arrested persons were in "workers camps" attached to the factories and were guarded there during work-hours, as well as in the factories, by military supervising staff of that part of the Armed Forces for which the war material was being made. That was an agreement between the Armaments Ministry and parts of the Armed Forces, without any co-operation from the OKW.

I herewith declare in lieu of oath:

I have made the above affidavit to my defense counsel DR. Otto NELTE to the best of my knowledge and conscience. I am aware that the statement is to be produced to the International Military Tribunal at Nuernberg. I am also aware that intentional or remiss making of an untrue affidavit is liable to severe punishment.

Nuernberg, 17th August 1946. (sgd.) Wilhelm KEITEL

Field Marshal retd.

H0678-0119

Document K 28

Hermann Reinecke
General

Neu-Ulm, 12th August 1946

Affidavit

Subscribed at Internment Camp PWE 314 Neu-Ulm.

There appears General Hermann Reinecke, who is made aware that these replies are given in lieu of oath and are intended to be produced to the International Military Tribunal at Nuernberg.

He being duly sworn, deposes and says:

1) The collective document R-178 regarding treatment of Soviet-Russian prisoners of war was shown to General Reinecke.

Question: Are the events personally and officially known to you, which form the object of correspondence contained in document R-178? In what manner was the OKW or the Chief of the Prisoners of War branch of the OKW participating in these events?

Basically the OKW and the Chief of the Prisoners of War branch had nothing to do with the execution of orders concerning the treatment, labour etc. of prisoners of war. The Chief of the Prisoners of War branch certainly never gave immediate orders in this respect, because he had no direct power of command over the inmates of camps. The OKW was only entrusted with matters of executing given orders if difficulties occurred in having such orders executed and which could not be attended to locally. In the collective documents there is also no letter from the OKW; and the OKW is only referred to in this correspondence. I think that the Gestapo, which was occupied with the sorting out of the Russian prisoners of war, threatened the OKW if they could not get on with camp commandants or other inferior commands.

It is of course also possible that the competent office of the RSHA telephoned to the OKW and then kept the answers received, in their own interest, without such an use being upon to control. The events which are set forth in document R-178 are not known to me personally and I am thus unable to say anything about them. At the time in question Colonel BREWY was Chief of the Prisoners of War Branch, with Generalmajor Graevenitz as successor.

2) Counsel for Defense Dr. Nelte then informs General Reinecke of the contents of documents PS-4048 to PS-4052 and PS-4069, which

H0678-0120

are drawn up in English, concerning the murder of the French General Mesney.

He declares:

The events described in the documents shown to me have not come to my knowledge before. Since 1st October 1944 Himmler had the prisoners of war affairs in his hands. His Chief for these affairs was BERGER who had quite a different power for giving orders to what the chief of prisoner of war affairs in the OKW possessed. Contrary to the latter, he had the power to issue orders. I, and as far as I know, the inspector dealing with certain prisoner of war branches--who was at that time Generalmajor WESTHOFF--had nothing to do with the shooting of General Mesney.

(sgd.) Herman Reinecke
General

Subscribed and sworn to before me this 16th day of August 1946 at Neu-Ulm, Germany.

(sgd.) Glenn R. Mackenzie
1st Lt. Cavalry

05206676
serial number

Stamp:

60th Infantry "I" Co.